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BY

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AUTHOR OF "THE INTERMEDIATE TEXT-BOOK OF ENGLISH HISTORY," ETC.

LONDON: W. B. CLIVE,
THE UNIVERSITY TUTORIAL PRESS
(*University Correspondence College Press*),
13 BOOKSELLERS ROW, STRAND, W.C.
1900.

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PREFACE.

This book is intended primarily to fulfil the requirements of the London Matriculation Syllabus—*viz.*, "The History of England to the end of the Seventeenth Century, with the Geography relating thereto"—and will, it is hoped, meet the needs both of candidates who are prepared for this examination at school, and of those who enter for it later in life. It is also designed for use by candidates for the Senior and Higher Locals and other examinations, when the period prescribed ends not later than the year 1702.

There is not much scope in a work of this size for originality of *matter*; and in that respect the author has mainly followed the beaten track. But in respect of *method* he has ventured on one or two experiments which, though not original in detail, do not appear to have been adopted in any other short manual of English History.

(1) Proportion in dealing with the several periods of our history has been carefully studied and systematically observed, so that it may be said with confidence that in no other text-book on the subject have the writer's favourite topics been more rigidly prevented from occupying a larger amount of space than was their due.

(2) The general trend of events is continually brought under the reader's notice, first by the general introduction (pp. 1-3) and subsequently by the introductions to the several Books into which the volume is divided. The detailed narrative contains facts illustrative of the main points indicated in these introductions, much as numerical

and other examples illustrate the book-work in mathematical manuals.

(3) Details useful for reference are as far as possible separated from those which have to be committed to memory. To the former class belong the Contemporary Rulers set forth at the head of each chapter after Ch. vi.

(4) Ample provision has been made for problem work, and for this purpose the lists of topics in the chapter-headings after Ch. vi., and the genealogical and other tables will be found especially useful. Thus the learner may examine for himself a certain prince's claim to the throne, may make a list of the most important events in a given period, or trace the relations between England and some other country, or again may construct a map illustrating some fresh division of territory.

(5) The numerous cross-references are intended both to facilitate problem work and also to help those who are studying special periods only. They may be neglected on first reading, but on second reading they should be looked up.

In conclusion, the author desires to express his warmest thanks to three friends who have read the manuscript or proofs of this book: *viz.*, to Dr. A. E. W. Hazel, Fellow of Jesus College, Oxford, to Mr. A. Johnson Evans, of Christ's College, Cambridge, the author's collaborator in the *Intermediate Text-Book of English History*, and to Mr. F. J. C. Hearnshaw, of Peterhouse, Cambridge, the author's successor as History Tutor at University Correspondence College. The compiler of the Index has also earned his kindest acknowledgments.

C. S. F.

Cambridge,
December, 1899.

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MATRICULATION
HISTORY OF ENGLAND.

GENERAL INTRODUCTION.

§ **1. Survey of the Sphere of History.**—The astronomer and the geologist tell us that the Earth has been in existence for millions of years. But man has existed on the Earth only during a small portion of this time, and he has kept records of himself and of his doings only during a small portion of the time of his existence. Man in this short and recent phase of his existence—during which he has had the leisure, the interest, and the means "to take himself up by the roots and see how he is growing"—forms the subject-matter of History. As soon as any set of men became sufficiently civilized to advance from worshipping their ancestors to feeling curiosity about them, myths began to be invented to supply the want created by this curiosity; but no authentic record appears to exist regarding any portion of the human race much earlier than six thousand years since. The Chinese of the Hoang-Ho Valley, the Egyptians of the Nile Valley, and the Chaldeans of the Tigris Valley have left records carven on stone or stamped on burnt-clay tiles that reach back possibly as far as 6000 B.C., certainly as far as 4000 B.C. That is, as yet, the furthermost span of History.

§ **2. Proportion in History.**—Suppose we represent this span of history by a line half-a-foot long, and let each inch represent one thousand years. The history of England lies wholly within the last two inches of this space, and its most important portion lies within the last inch: it is closely connected with the fourth inch—the Greek and Roman period; and it has very little to do with the first three inches—the period of the great Oriental Monarchies. If therefore one were to write a history of civilized man according to strict chronological scale—giving the same amount of space to each year—it is obvious that the history of England would take up only a small portion of a third of the book. But a book written on such lines of mechanical proportion would be neither possible nor useful: for both our knowledge of past times and the intrinsic importance of the events of different years vary infinitely. Generally speaking, as we approach our own times, we not only have fuller records of what happened, but also have more interest in what happened, because it

has a more obvious connection with the circumstances in which we ourselves live and move to-day. Without any real disproportion, therefore, we shall be able to cover the first half of the time-span of our history in a tenth part of the space assigned to the whole story, and devote as much attention to the last half-century as to the first thousand years.

§ 3. **Britain before the English, to 410** A.D.—Our first book will briefly set forth the successive settlement of these islands by various uncivilized peoples in prehistoric times, and the occupation of South Britain in historic times by the armies of civilized Rome. These far-off ages are not wholly disconnected with our surroundings to-day: the world-wide British Empire which will form the subject of our closing pages includes those uncivilized peoples among the ancestors of its citizens, and owes much to Rome as a pioneer in civilization.

§ 4. **The Making of England, 410–979.**—Our second book will show how various hordes of Teutonic adventurers crossed from Germany to Britain and won homes for themselves there; how, partly under the influence of Christianity, partly through the ambition of kings, and partly under pressure of the Danish invasions, the several English settlements attained political unity in South Britain; and how, during the same period, a similar measure of political unity in North Britain was attained by the union of Picts, Scots, and English into the historic kingdom of Scotland.

§ 5. **England under Foreign Kings, 979–1216.**—Our third book will show how this England, thus loosely *bolted* together by her native kings, was more securely *rivеted* together by a succession of foreign rulers—first a Danish dynasty, then a Norman dynasty, and lastly an Angevin dynasty. The main results of this discipline were to sever England from her connection with North Europe and bring her into closer touch with Central Europe—especially France and Rome—and also to create her first effective system of uniform and central government.

§ 6. **The Rise of Parliament, 1216–1327.**—Our fourth book, besides giving an account of Edward I.'s premature attempt to effect the political unity of the whole British Isles, will show how the well-to-do classes obtained, through Parliament, a voice in the control of the central government built up in England by Norman and Angevin despots.

§ 7. **The Hundred Years' War, 1327–1485.**—Our fifth book will show how the failure of the English kings in their attempt to

conquer France (1338–1453) left England a prey to civil war (1450–1485), but also left her free from Continental connections.

§ **8. The Tudor Period, 1485–1603.**—Our sixth book will set forth the successful attempts of the Tudor monarchs to restore order in England and to secure her civil and ecclesiastical independence against the attacks of foreign potentates—ecclesiastical as well as civil.

§ **9. The Puritan Revolution, 1603–1660.**—Our seventh book will treat of the international and constitutional relations of an England whose ruler now for the first time bore sway over the whole of the British Isles, and over colonies beyond the sea: it will exhibit the inability of King and Parliament, though they quarrelled so violently as to appeal to arms, to do without one another.

§ **10. The Protestant Revolution, 1660–1688.**—Our eighth book will show how the attempt of two Stuart kings to impose their religion, Roman Catholicism, on a hostile majority led to the replacement of the personal kingship by a parliamentary monarchy.

§ **11. The Rise of Party-Government, 1688–1756.**—Our ninth book will deal with the struggles of the "United Kingdom of Great Britain" (1707) to maintain the Protestant Succession and to obtain trade-facilities in a series of wars against the House of Bourbon: it will also show how the great landowners, who had brought about the Revolution of 1688, obtained a veiled but effective control over both King and Parliament.

§ **12. The Making and Re-making of Empire, 1756–1789.**—Our tenth book will recount the acquisition of great territories in Canada and India, the severance of the older colonies in America from the Mother Country, the partial restoration of royal authority by George III., the grant of legislative independence to Ireland, and the establishment of the first British colony in Australia.

§ **13. The Great War and the Industrial Revolution, 1789–1832.**—Our eleventh book will tell the story of the great international struggle which sprang from the French Revolution of 1789, and of the great constitutional struggle which sprang out of the Industrial Revolution within Great Britain.

§ **14. The Growth of Democracy, 1832–1900.**—Our twelfth book will sketch the growth of democracy in the Victorian Era: the extension of the franchise, the reform of local government, the rapid alternation of party-ministries within "the United Kingdom of Great Britain and Ireland" (1801), the grant of self-government to the British Colonies—all these illustrate the growth of democracy.

ROMAN BRITAIN.
Roman Miles
25 50 75
English Miles
15 30 60
Divisions of Roman Britain e.g. VALENTIA
Tribal Names ..... Cantii
Roman Names ..... Danum
Modern Names ..... York
CALEDONIA
VALENTIA
HIBERNIA
OCEANUS HIBERNICUS
OCEANUS GERMANICUS
OCEANUS BRITANNICUS
Selgovae
Votadini
Brigantes
Parisi
Coritani
Iceni
Cornavii
Ordovices
Demetae
Silures
Dobunni
Atrebates
Belgae
Regni
Cantii
Trinobantes
Iceni
Damnonii
Durotriges
Dumnonii
Belerium
Vectis (I. of Wight)
Portus Itius
Caletum
Hadrian's Wall
Antonine Wall
Eboracum (York)
Danum (Doncaster)
Lindum (Lincoln)
Venta Icenorum (Caistor)
Camulodunum (Colchester)
Londinium (London)
Verulamium (St Albans)
Calleva Atrebatum (Silchester)
Venta Belgarum (Winchester)
Regnum (Chichester)
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Isca Silurum (Caerleon upon Usk)
Isca Dumnoniorum (Exeter)
Deva (Chester)
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Severn
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Ermine Street
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Portus Dubris (Dover)
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Deal
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Land's End
Bristol Channel
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Tuna Aest (Galway Bay)
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BOOK I.

BRITAIN BEFORE THE COMING OF THE ENGLISH.

INTRODUCTION.

§ 15. **History of the Land? or of the People?**—Histories of England sometimes commence with the history of the region that is now called England—the southern portion of the island of Britain—sometimes with the history of the people whose immigration to that island gave it its historic name: in either case such histories are compelled to widen their horizon as the varied activity of the mixed nation of which the English people form a part extends first over the whole British Isles, and then—during the last three hundred years or so—over the whole world. The present book conforms to the more usual practice of beginning with the *land* to which the English gave their name, not with the *people* who gave their name to the land. That practice, besides being customary and convenient, has certain advantages on strictly historical grounds. The history of any nation is determined mainly by its geographical circumstances and by its racial composition. Now, in the case of "England," the geographical circumstances are infinitely more clear and certain—if not more important—than the racial composition of the inhabitants of "England." The insularity of the British Isles is a matter of *fact*, and is a fact which all authorities, from Shakspere downwards, recognize as being of the highest importance: the ethnology of the British Isles is a matter of *opinion*, concerning which there is as yet little agreement among the best authorities. We shall start from the sure ground of geography, not from the quicksand of race.

§ 16. **Main Points in the History of Early Britain.**—Our first book will have nothing to say about "England" or the "English": its subject-matter will be the British Isles in prehistoric and early historic times. Our business will be threefold:—to summarize the main facts known or credibly guessed about the people who inhabited these islands before the dawn of history, and whose descendants undoubtedly form part of the population of these islands to-day; to show how these islands and their inhabitants slowly came within the ken of the civilized nations that dwelt round the Mediterranean—Phoenicians, Greeks, and Romans; and to trace briefly the history of the attempt—only partly successful—to subdue these islands made by the most powerful of these Mediterranean nations—Rome.

CHAPTER I.

EARLY BRITAIN.

§ 17. **The Men of the Old Stone Age.**—If we look at a map of Europe showing the depth of the surrounding seas we observe that at a distance varying from one hundred to three hundred miles west of Ireland and Britain the floor of the ocean makes a sudden dip: the curving line marking this dip marks also the former western coast line of the continent which we call Europe. It was probably while the British Isles still formed part of the Continent—in the period which geologists call the Quaternary or Pleistocene Epoch—that man made his appearance in this land. From the nature of the roughly sharpened flint implements which form almost the only surviving evidence of their existence, these stunted savages are known as "palaeolithic"—the Men of the Old Stone Age. They can be traced in two stages—an earlier, when they dwelt "in the river drift," and a later, when they dwelt in caves. The chief sign of progress shown by the Cave Men was their ability to make handles to their weapons; but in neither stage did the palaeolithic man cultivate the ground or know other food than the flesh of the wild beasts which he had slain. Like the beasts on whom they preyed—for instance, the mammoth and the woolly rhinoceros—these men seem to have been utterly destroyed by a change of climate which covered the north-western parts of Europe with an ice-cap like that which now covers Greenland. In race the men of the Old Stone Age have been supposed to be akin to the *Eskimos.*

§ 18. **The Men of the New Stone Age.**—After the glaciers had begun to melt, and apparently after the British Isles had been separated from the mainland, a fresh set of men appeared here. Their tools and weapons were polished and had some pretensions to regular shape, but they were still made of stone: hence they are distinguished from their predecessors by the name of "neolithic"—the Men of the New Stone Age. In many ways they were more advanced than the men whom they replaced. They spun wool and wove garments of the same; they made a sort of pottery which would

carry water but would not stand fire ; and, unlike their predecessors, who had no regard for their dead, they buried their corpses in *egg-shaped barrows*. They were "short of stature, with long narrow heads, large jaws and high cheek-bones." From the point of view of *race* the men of the New Stone Age are called *Iberians* or *Ivernians*, and are commonly supposed to have been akin to the *Basques*, who still retain a semi-independent existence in the Pyrenaean angle of the Bay of Biscay. They were by no means exterminated by the next batch of settlers ; their type of skull and figure is said to be prevalent in parts of South Wales ; the oldest known names of these islands, "Albion" and "Iernē," have been widely ascribed to an Ivernian origin ; and the known skill of the Ivernians in drawing and carving has often been regarded as the source of whatever artistic skill the present inhabitants possess.

§ **19. The Men of the Bronze Age.**—During the thousand years immediately preceding the Christian Era there can be traced three successive waves of immigrants into these islands—(1) the Goidels, Gadhaels or Gaels ; (2) the Brythones or Britons ; (3) the Belgae, who came over from the region between the Seine and the Scheldt, part of which now bears their name (*Belgium*). All these new-comers were probably acquainted with the use of metals, and can therefore be broadly distinguished from the older inhabitants as the men of the Bronze Age. These Bronze Men were different not only in degree of civilization but also in race from the Stone Men among whom they settled ; they had tall, well-made figures, fair hair, and round heads. It is less certain that all the Bronze Men belonged to the same race ; but as they all seem to have spoken different dialects of the Keltic branch of the "Aryan" family of languages,* they are commonly spoken of as "Kelts." Each successive set of invaders, as it swarmed into these islands, either displaced or enslaved the previous occupants. That intermarriage took place is shown both by the fact that the *oval* burial mounds of the Stone Men and the *round* barrows in which the Bronze Men placed the ashes of their cremated dead are found in close connection, and by the fact that the Ivernian type of body still predominates in isolated regions where woods or hills afforded a refuge—*e. g.* in South Wales. But whereas the Ivernians adopted the language of their conquerors, the Britons and the Gaels preserved their own several dialects ; and from the prevalence of Gaelic speech in Ireland and the Scottish Highlands it is inferred that the Gaels were driven thither by the

* See Low's *English Language*, ch. i.

Britons, and there made themselves predominant over the previous inhabitants. The Belgae crossed over from the mainland of Gaul in historic times (§ 20).

§ **20. Intercourse of Britain with the Civilized World.**—So far our account of the British Isles rests on the scanty and disconnected remains left by their inhabitants and pieced together by archaeologists, philologers and anthropologists in quite modern times. But as we approach the beginning of the Christian Era we obtain some positive information about the islands from the records of the more civilized nations of the Mediterranean who were acquainted with the art of writing. Probably the Phoenician merchants of Tyre in Syria, and of Karthage in North Africa (*Tunis*), visited the British Isles; but they kept their knowledge to themselves as a trade secret. The great historian Herodotus, writing in the middle of the fifth century B.C., says that the Phoenicians obtained tin from some "Tin Islands" (*Kassiterides*), which have commonly been regarded as the Scilly Isles and Cornwall. A century later, a geographical treatise, written by the Greek philosopher Aristotle or by one of his pupils, mentions the "Bretanic Islands" by name; and the fact that coins of Aristotle's pupil Alexander the Great have been found here indicates that Greeks had begun to trade so far away. About the same time (330 B.C.), a Greek explorer, Pytheas, starting from the Greek colony of Massalia (*Marseilles*), coasted past the Pillars of Hercules (*Straits of Gibraltar*), and sailed along and beyond the British Isles until he came sufficiently far north to see the "Midnight Sun." Pytheas wrote an account of his explorations; but the fragments which have been preserved by later writers tell us little about these islands. It was probably through his voyage, however, that there sprang up a trade in tin from Cornwall to the Mediterranean: the route was overland to Ictis (*Thanet*?), thence by sea to Portus Itius (*Boulogne*?), thence overland to the Rhone, and by boat down that river and along the coast to the emporium of Massalia. The existence of regular commercial intercourse through Gaul with the civilized world and the migration of Belgic tribes from Gaul to Southern Britain are the main facts known about the British Isles during the interval between the visits of the Greek Pytheas and of the Roman Julius Caesar (330–55 B.C.).

§ **21. First Invasion of Julius Caesar, 55** B.C.—It was during the same interval that the Republic of Rome subdued all the countries lying round the Mediterranean Sea—including the various fragments of Alexander's Greco-Macedonian Empire and the Karthaginians—

and was thus brought into conflict with the more or less barbarous peoples that occupied the hinterlands of her dominions. In the sixth decade before the commencement of the Christian Era Gaius Julius Caesar, the governor of the Roman province of Gaul—which included what is now the northern part of the kingdom of Italy and the southern part of the French Republic—undertook the conquest of "all Gaul"—the region lying between his province and the Western Ocean. His enterprise, which sprang partly out of his desire to extend the dominions of Rome, partly out of a desire to enhance his own reputation, led him on to attack the tribes which, from their homes beyond the north-western and the north-eastern frontiers of Gaul, had aided the tribes of Gaul in their struggles against Rome. Hence it was that in the summer of 55 B.C., after an expedition across the Rhine into Germany, Caesar made a kind of "reconnaissance in force" into Britain. He found it difficult to effect a landing, still more difficult to maintain his foothold when he had landed; and, the season being late, he deemed it prudent to withdraw into Gaul.

§ 22. **Caesar's Second Invasion, 54** B.C.—Profiting by this experience, Caesar next year began his operations earlier, and took with him a larger number of troops and ships. Landing without opposition somewhere near Dover, he fortified a camp on the coast; then, defeating the Kantii—whose name survives in the county-name of *Kent*—he pushed up country beyond the Thames. Resistance to the invaders was organized by Caswallon or Cassivelaunus, the chief of the Catuvellauni, whose head-quarters are supposed to have occupied the site of the later town of Verulamium (*St. Albans*). Besides ruling his own people, Caswallon was the head-king of various subject tribes, some of which—*e. g.* the Trinobantes, who lived in the region now called Essex—deserted him and helped the Romans to storm his stronghold. Caswallon thereupon sent in his submission, which was accepted. Caesar exacted tribute and a promise not to help the Gauls; and, taking with him hostages as security for the fulfilment of these terms, he withdrew from the island. Owing to a series of internal struggles within the Roman Republic which changed both its constitution and its policy, Britain was left undisturbed for nearly a hundred years. The testimony of the coins found shows that friendly intercourse with Gaul, now in rapid process of romanization, continued and increased, and that civilized habits were spreading from Gaul over South Britain. The most notable Briton personality during this time was Cunobelin—Shakspere's "radiant Cymbeline"—who early in the first century of our Era recovered the power of

his ancestor Caswallon, and shifted his capital to the head-town of the Trinobantes—Camalodunum (*Colchester*).

§ **23. Caesar's Account of Britain.**—In the fourth and fifth books of his *Notes on the Gallic War*, Caesar gives us our earliest connected account of the British Isles. He says little about Ireland, and knows nothing definite about the northern part of Britain: the only tribes with whom he came into direct contact were the comparatively recent immigrants from Gaul. Naturally, therefore, he saw a great resemblance between Briton and Gallic customs which may or may not have extended all over the island. He notes that the peoples living nearest Gaul were the most civilized—wearing woven garments instead of merely skins; that all alike had a tribal organization; that in every branch of life they were much under the influence of a priestly caste—the Druids; that these Druids offered human beings in sacrifice, and taught the doctrine of the transmigration of souls. The principal facts in Caesar's description are these:—

"The interior of Britain is inhabited by tribes which according to their own tradition are indigenous in the island. The country along the coast is inhabited by those who, for purposes of plunder and of war, have come over from Belgium (almost all of whom are called by the name of the state to which they belonged when they came to the island), and, after making their attack, have stayed there and begun to cultivate the land. There is an immense population, the houses are very numerous and almost exactly like those of Gaul, and cattle abound. They use either a gold coinage or, instead of coin, iron bars adjusted to a certain weight. In this country tin is found in the inland districts, iron in those on the coast, but of the latter there is but a scanty supply: the bronze they use is imported. There is timber of every kind, as in Gaul, except beech and pine. They do not think it lawful to eat the hare, the hen or the goose: however, they keep these animals for their diversion and pleasure. The climate is more temperate than in Gaul, the cold being less severe. The island is triangular in shape, one side of it facing Gaul. . . . Of all these peoples by far the most civilized are those who inhabit Cantium, a district the whole of which borders on the sea, and their customs are not very different from those of Gaul. The inland peoples as a rule do not sow corn, but live on milk and flesh, and are clad in skins. But all the Britons stain themselves with woad, which produces a blue colour, and thus they are more alarming to look on in battle; and they wear their hair long, and are shaved all over the body except on the head and the upper lip." [*Gallic War*, Book v, Ch. xiv–xvi.]

CHAPTER II.

ROMAN BRITAIN, 43–410 A.D.

§ **24. Britain under the Emperor Claudius, 43–54.**—In 43 A.D. the Emperor Claudius, abandoning the anti-expansion policy of his predecessors, sent Aulus Plautius to occupy Britain. With the help of the Regni—whose name survives in *Ringwood*, Hants—Aulus Plautius overthrew the sons of Cunobelin, slaying Togidumnus and driving Caráctacus (Caractacus) into exile, and established Roman influence in South Britain. Claudius himself came over to inspect his new territories, and received the formal submission of many chiefs, who had previously made similar submissions to stronger native chiefs. But when Ostorius Scápula, the successor of Aulus Plautius (47–51), endeavoured to turn a nominal overlordship into a real control, revolts broke out which involved a second conquest. Ostorius not only established a military colony in Caradoc's old capital, Camalodunum, to guard South Britain, but also attempted to extend the Roman dominions. He overran the Midlands and attacked the western mountaineers—especially the Silures on the Wye and the Ordovices on the upper Severn and Dee. Though he captured Caradoc, the Catuvellaunian chief whom the Ivernian Silures had chosen to lead them, in 51, Ostorius was unable to subdue the regions beyond the Severn. To guard the western frontier, therefore, he fortified and garrisoned camps at Deva on the Dee (*Chester*), Viriconium on the Severn (*Wroxeter*), and Isca Silurum on the Usk (*Caerleon*). The region west of the line connecting these three stations has always tended to have a more or less distinct history of its own (cf. §§ 41, 52, 85, 162, 163).

§ **25. Britain under the Emperor Nero, 54–68.**—During the reign of Claudius' successor, Nero, Suetonius Paullinus was Governor of Britain for four years (59–62). In 61 he conquered the island of Mona (*Anglesey*), and put to death the Druids who from that centre had stimulated resistance to Roman rule. During his absence in the North-West, there broke out in the South-East a formidable insurrec-

tion, caused by the cruelty and oppression which so often accompany the pioneer work of civilized states among uncivilized races. The leader of the revolt—variously named Buddig, Boudicca, and Boadicea—was Queen of the Iceni, a tribe occupying the eastern peninsula of Britain, later known as East Anglia (§ 40). The insurgents stormed Camalodunum and other Roman stations, but were speedily crushed by Suetonius. The leader committed suicide, and her followers were slaughtered no less ruthlessly than they had slaughtered their oppressors: it is said that nearly 100,000 fell on each side during the struggle. The rising, though it failed to expel the Romans, attracted the attention of the central government and brought the period of misrule to a close.

§ **26. Britain under Agricola, 78–84.**—The next notable Governor was Gnaeus Julius Agricola, who during seven years' rule did all he could to give his province good government and to protect it from the attacks of the northern tribes. His son-in-law, the historian Tacitus, has given us a full account of Agricola's work, and of the state of Britain in his time. Agricola educated the natives—especially the children of the chiefs—in Roman ways; he reconquered the region west of the Severn; he pushed north of the Humber, and absorbed the buffer-state of the Brigantes into the Roman province, establishing a garrison at Eboracum (*York*); he built a line of forts—sometimes known as "Agricola's Wall" (§ 27)—across the isthmus between the Firth of Forth and the Firth of Clyde; in 84 he defeated the wild Caledonians who dwelt beyond that isthmus, and who probably came of a mixed Ivernian and Goidelic stock (§ 19), in a great battle at the Graupian Hill, near the mouth of the River Tay; he sent his fleet round the north of the island; and he meditated the conquest of Ireland. This "forward policy" was not approved by the home authorities; and Agricola was recalled by the Emperor Domitian.

§ **27. Limits, Frontiers, and Divisions of Roman Britain.**—Agricola practically fixed the limits of Roman Britain. No attempt was ever made to conquer Ireland; and though there were occasionally what we should call punitive expeditions or "little wars" in the hilly country beyond the Forth, no serious attempt was made to subdue the Caledonians. The northern limit of the Empire varied, in the island province as on the continent of Europe. The Emperor Hadrian, during his visit in 121, ordered the construction of a wall across the narrow neck of land between the Tyne and the Solway. During the reign of Hadrian's successor, Antoninus

Pius (138–161), the frontier was again advanced to the line of Agricola's forts, which were connected by the earthen rampart (*vallum*) now known as Graeme's Dyke. The Emperor Septimius Severus, after invading the country of the Caledonians, fell back on Hadrian's Wall, which he strengthened before he died at Eboracum in 211. A century and a half later the region between the Forth-Clyde and the Tyne-Solway lines of fortification was again occupied and constituted as a separate province, named Valentia in honour of the reigning Emperor Valens (364–378). Valentia is the only one of the five subdivisions of Roman Britain the position of which is known. But this fivefold subdivision of Britain was of less permanent importance than the usual twofold division for administrative purposes—Upper Britain (N.W.) and Lower Britain (S.E.). During the latter portion of the Roman period a military officer, called "Duke of the Britains" (*Dux Britanniarum*), ruled Upper Britain, having his head-quarters at Eboracum, while a naval officer, called "Count of the Saxon Shore" (*Comes Littoris Saxonici*), ruled Lower Britain, having his head-quarters at Londinium (*London*) on the Thames. Both officers were subordinate to a civil superior called a Vicar.

§ **28. Material Improvements in Roman Britain.**—For about four centuries South Britain remained a comparatively remote and unimportant dependency of the Roman Empire. There was no new migration of a people into the island like the previous immigration of the Goidels or the Brythons (§ 19): the existing population was merely subjected to a new ruling class supported by a small but disciplined force of foreign mercenaries. This military occupation of Britain by a civilized Power brought about many great changes in the face of the land, and smaller, but still considerable, changes in the habits of the subject people. It was primarily for military purposes that a network of roads was constructed, connecting and guarded by the garrison-towns. Some of the roads followed old Briton tracks; some of the towns occupied old Briton sites; but towns and roads alike, whether old or new, were so solidly built that they were used long after the dominion of their designers had passed away. The roads were wide, straight, drained and paved (*strata*—hence "street"): they were, therefore, usable in all weathers. The towns were so well placed that most of them, whether they have maintained a continuous existence or not, are still important centres in our own times. The names of some of them still testify to their Roman origin. The Welsh prefix *caer-*, probably,

the English suffixes *-caster*, *-cester*, *-chester*, *-xeter*, certainly, bear witness to the fact that there were Roman camps (*castra*) at the places whose modern names contain those ingredients: *e.g.* *Caer*narvon, *Caer*leon, Don*caster*, Lei*cester*, Man*chester*, E*xeter*. The principal towns, as well as the roads connecting them, are shown in the map of Roman Britain (p. 4). The roads and towns which came into existence for the military purpose of keeping order were equally serviceable for more peaceful purposes. The towns became centres of civilization—places where the neighbouring natives learned to acquire new wants and the desire for more comfort in their homes: the roads became highways of the commerce which catered for the new wants. As the population increased in numbers owing to the cessation of the old inter-tribal warfare, and in wants owing to the spread of civilization, more land had to be brought into cultivation: hence forests were cleared and swamps were drained, until Britain became so important a wheat-exporting country that it was called "the Granary of the North." Besides wheat, Britain also exported tin, lead, hunting-dogs, slaves, and oysters.

§ 29. **Social Changes in Roman Britain.**—The material improvements effected by the Romans in Britain were not accompanied by a complete romanization of the Britons. The Gauls across the Channel adopted the language of their conquerors: the Britons for the most part retained their own Keltic speech, however much it was affected by Latin elements. Roman rule brought with it greater peace and greater prosperity, more comforts and fewer hardships; in the reign of the Emperor Caracalla, the son of Severus (211–217), it raised the Britons to the position of "Roman citizens": it gave greater facilities for the entrance of Christian missionaries (§ 30); but it did not tend to unite Britons in a political organization animated by a national patriotism. Hence the main events in the political history of Britain during the Roman period are integral parts of the history of the Roman Empire. The earlier emperors treated the province mainly as an outpost against the northern barbarians. Somewhat later, when the Empire was passing through divisions and civil strife, persons commanding the military forces in Britain attempted to use their power not to create an independent state in Britain, but to gain the sole emperorship: such were Carausius and his murderer Allectus, who successively rebelled against the Emperor Diocletian (284–305); such were Maximus and Constantine, who a century later—in 383 and 409 respectively—took their troops over to the mainland in the vain hope of gaining the Imperial purple.

By that time the Empire was being so hard pressed by the barbarian tribes on its frontier that it could not spare troops to replace those who had been thus led away to serve the purposes of private ambition; and when the Britons implored the Emperor Honorius to send them aid against their foreign foes he told them that they must look to their own defence. This refusal of Honorius in 410 marks the end of the Roman occupation of Britain: his impotence was proved in the same year by the sack of Rome by Alaric, King of the Visigoths. Britain dropped so completely out of the knowledge of the Romans of Italy that in the sixth century they regarded the island as the inaccessible place set apart for the habitation of the spirits of the dead.

§ **30. Christianity in the British Isles.** — Besides paved streets and walled towns, drained marshes and tilled land, the Romans left behind them the beginnings of a Christian Church. Christianity was apparently introduced towards the end of the second century: Irenaeus does not mention a Briton Church in his list of Christian Churches in 177, whereas Tertullian, writing about thirty years later, speaks of the "haunts of the Britons" as "subjugated to Christ." About a century later—probably during the persecution of Diocletian—Britain is said to have had its first Christian martyr in Alban, whose name marks the resting-place of his bones in the present name of Verulamium (*St. Albans*). One of Diocletian's colleagues in the Empire, Constantius—who ruled Britain and who died at York in 306—was the father of the first Christian Emperor of Rome—Constantine (306–337). Three Briton bishops took part in the Church Council held at Arles, on the Lower Rhone, in 314, during the reign of Constantine. During the fourth century the Briton Church produced the notable heretic Morgan—a name which the Greeks spelt Pelagios—and began to send missions to the heathen parts of the British Isles. Shortly before the Roman evacuation, it is said, Ninian began to evangelize the Picts of Galloway, fixing his head-quarters at Whithern; and some time afterwards Patrick is reported to have crossed from his home on the Clyde to Ireland and "preached Christ to the heathen Fenians." But Briton Christianity in Roman times seems to have been but a feeble growth (§ 43): it is not certain either that these two missionaries, Ninian and Patrick, ever existed, or that, if they existed, they owed their impulse towards missionary work to the Briton Church of which they were members.

THE ENGLISH CONQUEST OF SOUTH BRITAIN
English Miles
0 10 30 60
STRATHCLYDE
BERNICIA
Rheged
Galloway
Solway Firth
Carlisle
Hexham
Wearmouth
Durham
Tees R
Stronesshalch (Whitby)
Deira
CUMBRIA
Lancaster
York
Stamford Bridge
Flamborough Hd
Lindsey
Lincoln
Gainsborough
Humber
Anglesey
Manchester
Chester
Bangor
Caernarvon
Snowdon
Cwyneda
Powys
Radcliffe
Bakewell
Retford
Lincolnshire
The Wash
Norfolk
East Anglia
Suffolk
Ipswich
Norwich
Thetford
Cambridge
Huntingdon
Northampton
Bedford
Stamford
Tamworth
Lichfield
Leicester
Derby
Nottingham
Stafford
Shrewsbury
Bridgnorth
Wroxeter
Wenlock
Wigmore
Leominster
Hereford
Worcester
Evesham
Warwick
Coventry
Oxford
Buckingham
Aylesbury
Wallingford
Reading
Abingdon
Newbury
Winchester
Basingstoke
Andover
Salisbury
Wilton
Dorchester
Weymouth
Exeter
Tiverton
Taunton
Glastonbury
Somerset
Dorsetas
Devon
Cornwall
Dyvnaint
Tintagel
Launceston
Plymouth
Penzance
Land's End
Bristol Channel
Cardigan
Carmarthen
Pembroke
Dyfed
Brecon
Gwent
Cardiff
Monmouth
Gloucester
Cirencester
Malmesbury
Chippenham
Calne
Devizes
Berks
Surrey
Sussex
Kent
Canterbury (Cantwara)
Rochester
Dover
Sandwich
Romney
Hastings
Lewes
Chichester
Portsmouth
Isle of Wight
Carisbrooke
Christchurch
Wareham
Poole
Bournemouth
Sherborne
Yeovil
Ilchester
Wells
Bath
Chepstow
Severn R
Thames R
Medway R
Essex
Middlesex
London
Hertford
Colchester
Harwich
Maldon
Dunmow
Saffron Walden
Ely
Peterborough
Grantham
Boston
Spalding
Lincolnshire
Louth
Horncastle
Alcluyd (Dumbarton)
Edinburgh
Firth of Forth
Firth of Clyde
Kintyre
Berwick (Berewicawe)
Lindisfarne (Holy I.)
Bebbanburgh (Bamborough)
Dongsastre
Whithorn
St Bees
Isle Man
Anglesey
Bardsey
Aberffraw
Caernarvon
Cardigan
Carmarthen
Pembroke
Tenby
Haverfordwest
Milford Haven
Bristol Channel
Somerset
Dyvnaint
Dorsetas
Wales
South Wales
Cornwall
Devon
Tintagel
Launceston
Plymouth
Penzance
Land's End
Scilly Is
Isle of Wight
Carisbrooke
Christchurch
Wareham
Poole
Bournemouth
Sherborne
Yeovil
Ilchester
Wells
Bath
Chepstow
Severn R
Thames R
Medway R
Essex
Middlesex
London
Hertford
Colchester
Harwich
Maldon
Dunmow
Saffron Walden
Ely
Peterborough
Grantham
Boston
Spalding
Lincolnshire
Louth
Horncastle
Alcluyd (Dumbarton)
Edinburgh
Firth of Forth
Firth of Clyde
Kintyre
Berwick (Berewicawe)
Lindisfarne (Holy I.)
Bebbanburgh (Bamborough)
Dongsastre
Whithorn
St Bees
Isle Man
Anglesey
Bardsey
Aberffraw
Caernarvon
Cardigan
Carmarthen
Pembroke
Tenby
Haverfordwest
Milford Haven
Bristol Channel
Somerset
Dyvnaint
Dorsetas
Wales
South Wales
Cornwall
Devon
Tintagel
Launceston
Plymouth
Penzance
Land's End
Scilly Is
Isle of Wight
Carisbrooke
Christchurch
Wareham
Poole
Bournemouth
Sherborne
Yeovil
Ilchester
Wells
Bath
Chepstow
Severn R
Thames R
Medway R
Essex
Middlesex
London
Hertford
Colchester
Harwich
Maldon
Dunmow
Saffron Walden
Ely
Peterborough
Grantham
Boston
Spalding
Lincolnshire
Louth
Horncastle

BOOK II.

THE MAKING OF ENGLAND, 410–979.

INTRODUCTION.

§ 31. **General Survey of the Period, 410–979.**—The Roman Empire, before Britain ceased to be a part of it, had divided into two sections which seldom came together again. The East Roman Empire, whose capital was fixed at Constantinople, contrived to beat back the Goths, Huns, Avars, Bulgars, Russians, and other barbarians who assailed it from the north, and to hold at bay for centuries the Parthians, Persians, Arabs, and Turks who successively attacked it from the south and east: it maintained its existence as a Christian State till 1453, and as a Muhammadan State (still called *Roum* or Rome) until this day. The West Roman Empire, which had no fixed capital, was partitioned by its barbarian invaders in the fifth century; its line of Emperors came to an end in 476; but three centuries later the name of Roman Emperor was restored in the West (§§ 33, 35) and survived for a thousand years—until 1806. In modern Europe the Byzantine Empire is represented partly by the Ottoman, and partly by the Russian, Empire: the Western Empire is represented by various states, two of whose rulers have, in the nineteenth century, assumed the imperial style, as "Emperor of Austria" (1804) and "German Emperor" (1871). Broadly speaking, the British Isles shared the fortunes of the West Roman Empire, even after they had been cast off by its ruler. This generalization is illustrated by the main facts of West European and British history during the six centuries following the Roman evacuation of Britain. Britain, like the Western mainland, was successively overrun by heathen tribes mainly of Teutonic "race" (ch. iii.), rechristianized partly by Keltic, partly by Roman missionaries (ch. iv.), ravaged by the Northmen (ch. v.), and consolidated into national kingdoms, all looking to Rome, no longer as a temporal master, but as a spiritual mother (ch. vi.).

§ 32. **The Wandering of the Nations.**—Towards the end of the fourth century there began a great restlessness among the inhabitants of North Central Europe which led to what is called "The Wandering of the Nations." Probably under the pressure of the Huns and other Mongol immigrants from Asia, a number of tribes, who may be generically described as "Teutons" or "Germans," but who did not necessarily belong to the same race, swarmed into the Roman Empire. In the western portion they succeeded in making various settlements which have left their mark on the more or less romanized peoples among whom they planted themselves. The mere geographical extent of their influence is well illustrated by the district-names of modern Europe. For instance, the Vandals have left their name in *Andalusia*—where they rested before crossing to Africa to meet destruction by the orders of the Emperor Justinian (527–565); the Burgundians, in *Burgundy* —a name given at different times to different parts of the Rhone Valley; the Longobardi, in *Lombardy;* the Suevi, in *Swabia;* the Franks, in *France;* the Saxons, in various parts of Germany (*Sax*ony, *Saxe*-Coburg, etc.), and of Britain (Suss*ex*, Ess*ex*); and the English, in *England*. Our concern is with these last movements; but it is well to remember that the Teutonic migrations into Britain were only a few out of many similar wanderings of the age.

§ 33. **The Conversion of the German Immigrants.**—The invading hordes of Germans were broadly characterized by vigorous bodies, a healthy home life, simple institutions, and great loyalty to the tribal chief. Usually they despised the *people* whom they conquered, but they were much impressed by the political *institutions*, ecclesiastical as well as civil, of the Roman Empire. Hence those Germans who settled in the thoroughly romanized parts of the Roman Empire were readily absorbed by the vanquished: in Italy, in Gaul, and in Spain they adopted the law and language of Rome, and now form a part of what are called Latin or Romance nations. In the less completely romanized parts of the Roman Empire—*e. g.* Britain and the valleys of the Rhine and Danube—they kept their own language, if not always their own laws. But in either case they had all accepted the Christian religion before the end of the eighth century; and whether they owed their conversion to Keltic, or Oriental, or Roman missionaries, they all came to regard Rome as their Mother-Church. The Bishop of Rome—"commonly called the Pope"—partly because the mere name of Rome had acquired a certain awe, partly because the See of Rome was the only episcopal see in Western Europe that

claimed Apostolical foundation, naturally stepped into the place of the Emperor of Rome as the rallying point of the motley nationalities in Western Christendom. It was at the initiative of the Pope that the Roman Empire in the West was, in 800, revived in the person of the Frankish king, Charles the Great (§§ 52-54).

§ **34. The Ravages of the Northmen.**—Before the converted Germans had time to settle down fairly into civilized ways they were exposed to fresh attacks from without. On the Mediterranean sea-face of Western Europe their assailants were the Saracens, the followers of the Arab prophet Muhammad (*d.* 632): on the Atlantic sea-face of Western Europe their assailants were the more savage sea-pirates from the north. The ravages of the Northmen were at their worst during the ninth century—the only portion of the mediæval period that can fairly be called "the Dark Ages": they helped to destroy the revived Roman Empire on the mainland, and they put back the growing unity of the Teuton tribes in South Britain.

§ **35. Rise of National Kingships.**—After a time the Northmen followed the example of their German predecessors in adopting Christianity and being absorbed by the peoples among whom they settled. They thus helped to strengthen the various national kingships which had been unable to drive them away. Hence the tenth century witnessed the growth of large and strong monarchies not only in Scandinavia, whence the Northmen had gone forth to ravage and to conquer, but in the various regions of Western Europe, wherein they had settled. Otto the Great, the Saxon king of the Germans, who revived the Roman Empire in 962, and Hugh Capet, who became King of the West Franks (*France*) in 987, have their analogues in the great West Saxon kings who affected the consolidation of the English in the tenth century—Eadweard the Elder, Æthelstan, and Eadgar. Imitating their contemporaries on the Continent, these kings assumed imperial titles (§§ 63, 70): whereby they implied that they not only ruled all the English but also claimed supremacy over all the peoples in Britain.

Bibliographical Note.—The relations between English History and General History of Europe—the former cannot properly be understood without some knowledge of the latter—can be profitably studied in the books mentioned below. The first-named book is the best suited for young people, and it gives useful hints regarding further sources of information; the third is distinctly a book for grown-ups, but for them it is invaluable; the second is so highly condensed that it is hardly intelligible to a beginner.

(*a*) G. B. Adams, *European History* . . . Macmillan, 6*s.* 6*d.* nett
(*b*) E. A. Freeman, *General Sketch of European History* Macmillan, 3*s.* 6*d.*
(*c*) James Bryce, *The Holy Roman Empire* . . Macmillan, 7*s.* 6*d.*

CHAPTER III.

THE COMING OF THE ENGLISH, 449–613.

TRADITIONAL DATES OF THE CHIEF TEUTONIC SETTLEMENTS.

I. "JUTES."

449. *Kent*, under Hengist and Horsa.
470. Isle of Wight.

II. "SAXONS."

477. *Sussex*, under Ælle.
495. *Wessex*, under Cerdic and Cynric.
527. *Essex*, under Ercenwin.

} **Conquest of the "Saxon Shore."**

III. "ENGLISH."

547. Bernicia, under Ida } united by Æthelric to form
560. Deira, under Iffa } *Northumbria*, **588.**
575. *East Anglia* (North Folk and South Folk), under Uffa.
585. *Mercia* (which ultimately included the Gainas, Lindiswaras, Hwiccas, Hecanas, etc.), under Creoda.

NOTE.—The italicized names mark the seven kingdoms of the so-called Heptarchy.

§ 36. **"The Groans of the Britons," 446.**—The heathen assailants against whom the Britons sought in vain the help of the Emperor Honorius (§ 29) were of three kinds: the Picts from Caledonia, the Scots from Ireland, and various German tribes from the lowlands lying round the mouth of the Elbe. In a petition addressed in 446 to Aëtius—a Roman general who, five years later, by his great victory at Chalons on the River Marne delivered the Gauls from the Huns—the Britons thus expressed their sad plight: "The barbarians drive us to the sea; the sea drives us back to the barbarians; between them we have but the choice of two kinds of death—slaughter or drowning." From the wording of these *Groans of the Britons* it may be inferred that the attacks of the Picts, who made their raids by land, were at that time held to be more formidable than the raids of the sea-faring Germans. In that case there may be some truth in the legend, that the Germans obtained their first

settlement in the land—the island of Thanet—as a reward for aiding Vortigern, King of Kent, against the Picts.

§ **37. Settlement of the Jutes in Kent, 449.**—The received date for the settlement of the Jutes in Kent is 449; but it is to be noted that that date, like most of the dates and names exhibited above, rests on no contemporary evidence. It is not even known for certain whether Arthur, the hero of the Briton resistance to the heathen invaders, was a real or an imaginary person; and the scenes of his adventures have been variously located all along the west country from Clyde to Cornwall. But the traditional dates all seem to justify the inference that the Germans directed their earliest attacks against the southern parts of Britain. These parts, being the most civilized, were also the wealthiest and most attractive; but they were also the most difficult to attack. All along the coast, from the Thames to the Solent, there stood the fortresses erected by the Counts of the Saxon Shore (§ 27). It took the Teutonic invaders nearly two generations (449–520) to conquer the strip of country protected by these fortresses on the sea-front, and shut off from the interior by forests that have now for the most part disappeared (Map, p. 16). Towards the end of the fifth century the Picts seem to have been diverted from the plunder of the Britons by the necessity of defending themselves against the Scots who, crossing from Ireland to Kintyre, began that attack which ultimately resulted in the transference of the name "Scotland" from Erin to Caledonia (cf. §§ 45, 60, 64, 81).

§ **38. Jutes, Saxons, and English.**—The German tribes who flocked over to Britain were the Jutes, the Saxons, and the Engle. These last are often called "Angles," which represents the Latin spelling of their name (*Angli*), or "English," which represents the name of their language (*Englisc*). The Jutes, Saxons, and Angles may or may not have been of the same race, but they all spoke a similar language—varieties of Low German; and no perceptible difference can be traced between the religious and secular institutions of the three peoples. The Jutes are supposed to have come from the northward-pointing peninsula which still bears their name; the Saxons from the low-lying lands that stretch along the mouths of the Ems and Weser; the English from the intervening territory now known as Schleswig and Holstein. The Jutes played a minor part throughout, founding only one important settlement, in Kent (449–473). At first the Saxons took a more prominent place than the English: the Roman officer appointed to guard the Narrow

Seas against the northern vikings or sea-rovers was called Count of the *Saxon* Shore (§ 27); and the Keltic-speaking peoples whom the Germans attacked call them Saxons (*Sassenach* or *Sassenagh*) to this day. But in the long run the English—whose settlements in Britain were more numerous and more extensive than those of the Saxons and Jutes, and whose dialect was the first to express itself in literature (§ 49)—gave their name to the whole people and to the portion of Britain which the three peoples won for themselves.

§ **39. The Saxon Settlements, 477–584.**—The first Saxon settlements were made on the south coast. Landing at Selsey, one horde of invaders conquered the region lying between the sea and the Andredes-Weald in the course of about twenty years (477–491): Chichester, the capital of modern Sussex, derives its name from Cissa, one of the sons of Ælle, the leader of these South Saxons. Four years after the South Saxons had completed their conquest by the storming of Anderida (*Pevensey*) in 491, another horde landed at the head of Southampton Water. These were the pioneers of various tribes—Gewissas, Wilsaetas, Somersaetas, etc.—who gradually combined, together with the Jutes in Wight, to form the West Saxon folk. In 520 their leader Cerdic was defeated, possibly by King Arthur, in a great battle at Mons Badon (*Badbury* in Dorset?); and for a whole generation the West Saxon settlement made no further advance. Meanwhile, that part of the Saxon Shore which lay immediately north of the Thames was being assailed by war-bands which came to call themselves the East Saxons (*Essex*) and the Middle Saxons (*Middlesex*). To the share of the Middle Saxons fell the important Roman town of Augusta (*London*), concerning the fate of which much has been guessed but nothing is known. About the middle of the sixth century the fortunes of the West Saxons began to rise again under the leadership of Cerdic's grandson Ceawlin (560–591). Advancing first in an easterly direction, Ceawlin came into collision with the westward-expanding Jutes of Kent at Wibbandun (*Wimbledon*) in 568. Then, turning north, he defeated the Britons at Bedford three years later; but instead of marching down the Ouse, and so coming into conflict with the Anglian invaders (§ 40), Ceawlin faced westwards, and in 577 cut his way to Severn Sea by his notable victory at Deorham near Bath. But when he pushed up the Severn valley he was defeated at Fethanlea (*Faddiley*, near Chester?) in 584. Besides overrunning much country and severely crippling the Britons (§ 41), Ceawlin had in these campaigns enriched his followers with the plunder of

the Roman towns of Aquae Sulis (*Bath*), Corinium (*Cirencester*), Glevum (*Gloucester*), and Viriconium (*Wroxeter*).

§ **40. The English Settlements, 547–613.**—It was during this great burst of West Saxon activity under Ceawlin that the English proper began either to form settlements on the east coast or to amalgamate their existing war-bands into more formidable groups. Thus at the end of the sixth century the North Folk and the South Folk, who settled in the region parted off from the Midlands by the Fens, are found united under one strong king—Raedwald of East Anglia (599–617). By that time various independent settlements had been made on the many navigable rivers which drain the Midlands into the Humber and the Wash: such, for instance, were the Men of the March or Borders—who, under the name of Mercians, were to absorb their kinsfolk—the Middle English, the South English, the Lindiswaras, whose name incorporates the Roman place-name of Lindum (*Lincoln*) and survives in the modern "part" of Lincolnshire called *Lindsey*, and the Gainas, whose name survives in the town-name of *Gainsborough*. But the principal English settlements were those stretching from Humber to Forth, which blended first into two—Bernicia (Forth to Tees), and Deira (Tees to Humber)—and later into one, Northumbria. This latter unification was effected in 588 by Æthelric of Bernicia; and his son Æthelfrith (593–617) devoted the strength of the joint kingdom to a great struggle with the Britons north and west of the Pennine Chain. In 603 he defeated a combined army of North Britons, Picts, and Scots at Daegsastan (*Dawstone*, between Jedburgh and Carlisle), and in 613 he overthrew a great West Briton army near Chester.

§ **41. Survey of the English Conquest.**—The West Saxon victory of Deorham in 577, and the Northumbrian victory of Chester in 613, together form the chief landmarks in the story of the English Conquest. By bringing the frontiers of the invaders to the western sea, the two battles broke the Britons into three distinct masses—the South Welsh of Damnonia (*Cornwall* and *Devon*), the West Welsh of Cambria (*Wales*), and the North Welsh of Cumbria (*Cumberland* or *Strathclyde*). Some of these names sprang up in the struggle: the English, not being able to understand their enemies' speech, called them foreigners or *Welsh* (hence *Wales*, Corn*wall*); the Britons, feeling the need of union against their heathen assailants, dropped their tribal feuds and called themselves comrades or *Cymry* (hence *Cambria*, *Cumbria*). At first—during the conquest of the Saxon Shore—the struggle seems to have been to the death on

both sides—as at Anderida (§ 39): in the later phases of the struggle, quarter was given. Hence, though different dialects of English had become the predominant speech in Eastern Britain from Forth to Solent within two centuries of the Roman evacuation (410–613), it is probable that, except in the extreme south-east, a considerable intermixture of blood took place between the homeling Britons and the comeling English. So many of the expelled Britons fled over sea into the Armoric peninsula that it became known as *Brittany*.

§ **42. Institutions of the Heathen English.**—When the English came to Britain they were probably in much the same stage of development as Tacitus, the biographer of Agricola (§ 26), depicts in his *Germania*. Each tribe consisted of a number of small village communities (*tuns*, or townships) headed by an elected chief, whom Tacitus calls *princeps*, but whom the English themselves spoke of as an *ealdorman* in time of peace or as a *heretoga* in time of war. Sometimes these villages were grouped together into cantons (*pagi*), each of which, according to Tacitus, was expected to send forth one hundred warriors to join the host of the tribe. It is supposed that the *hundred*—one of the local divisions which still exists in England, though it has long ceased to possess any practical importance—is connected in origin with this part of the primitive German military system. The communities consisted of both the unfree and the free. The unfree (*theows*) included debtors, captives in war, and those who, in days when famine was much more common than it is now, had "sold themselves for bread." The free fell into two classes—a small noble class (*eorls*), and a larger non-noble class (*ceorls*). The principal occupation of the ceorls was agriculture, while that of the eorls was fighting: they formed a kind of bodyguard round the chief. They were his companions (*comites*, *gesiths*): they defended him, and he fed them as their loaf-giver (*hlaford*) or lord. All the freemen of the community (*folk*) had a voice in the general management of its affairs: for everyday matters the chief held council with the wise men (*witan*) of the community. This system is supposed to have undergone various modifications in being transplanted from the mainland to this island: in particular, the ealdorman or heretoga, during the prolonged strain of offensive warfare, obtained higher powers and more permanent tenure of office under the new title of *King* (*cyning* = father of a family).

CHAPTER IV.

THE CHRISTIANIZATION OF THE ENGLISH, 597–796.

CHIEF MISSIONS AMONG THE ENGLISH.

I. Roman.	II. Keltic.
563–597. Columba, the Scots evangelist from Ireland, starting from his head-quarters at Hii (*Iona*), conducts missions among the Picts.	
597. Augustine in Kent: *Canterbury* and *Rochester*.	**531.** Fursey in East Anglia: *Dunwich.**
627. Paullinus in Northumbria: *York*.	**634.** Aidan in Northumbria: *Lindisfarne.**
631. Felix in East Anglia: *Dunwich,** *Elmham** (later, *Thetford**).	**653.** Cedd in Essex: *London* (first founded by Mellitus, **604**).
635. Birinus in Wessex: *Dorchester*, *Winchester*, *Sherborne.**	**653.** Chad in Mercia: *Lichfield*, *Worcester*, *Hereford*, *Leicester.**

664. Synod of Streoneshalch (*Whitby*), assembled by King Oswiu.

681. Wilfred in Sussex: *Selsey** (later, *Chichester*).

Note.—The names in italics represent episcopal Sees: those marked with an asterisk became extinct before the Norman Conquest.

I. Supremacy of Northumbria, 593–685.

§ **43. The Mission of Augustine, 597.** The onslaughts of the heathen English had the effect of quickening the Christianity of the Britons (§ 30): their common religion joined with common danger to draw them together in political union. The fifth century witnessed their evangelization of the Scots in Ireland: the sixth century witnessed the beginnings of Keltic missionary enterprise, not only among the Picts of North Britain, but also among the barbarian invaders of Western Europe. It was not till the seventh century that the Briton Christians sufficiently forgave their English enemies to begin preaching the gospel to them. In 597, the year of the death of Columba, the Scots missionary to the Picts, Christian missionaries first came to the English: these, however, came not from the neighbouring Keltic Church, but from the distant Church of Rome. That year the Benedictine monk Augustine, sent by Pope Gregory the Great (590–604), landed in Kent and obtained leave to

preach Christianity. The way had been already paved for his mission by the marriage of the reigning king Æthelberht (568–616) to Bertha, the Christian daughter of the Frankish King who reigned at Paris. It was partly in consequence of similar marriage connections, partly because Æthelberht was the most powerful English king of his day, that the kingdoms of Essex and Northumbria received their first Christian missionaries from Kent. Mellitus and Paullinus, who set up their bishop's stools at London and York respectively, were subordinate to the successors of Augustine in the archiepiscopal see of Canterbury. Political causes, which thus contributed to the rapid spread of Christianity among the English, also led to various reactions, in the course of which all the three kingdoms so far evangelized passed under the sway of non-Christian kings.

§ **44. The Reign of Eadwin the Deiran, 617–633.**—In 617, Raedwald of East Anglia, who had accepted Christianity at the bidding of his Kentish overlord, helped Eadwin, the exiled representative of the royal house of Deira, to overthrow his brother-in-law Æthelfrith in a great battle on the Idle, near Retford. Eadwin followed up the conquering policy of his predecessor: he subdued the principal tract still occupied by the Britons in Northumbria—the forest of Elmet; he established in Lothian the fortress that still bears his name (*Edinburgh*); and he placed a fleet upon the western sea which made Mona an "English island" (*Anglesey*); and, to mark his power, he adopted insignia of royalty, hitherto unknown among the English. His marriage with the daughter of Æthelberht, King of Kent, led to his conversion by Paullinus in 627. Six years later he was defeated and slain at Heathfield (*Hatfield*), near Doncaster, by the united forces of Cadwallon, the Welsh king of Gwynedd, and Penda, King of the Mercians. Penda had absorbed all the English settlements in the Midlands, and also the isolated West Saxon settlements in the Welsh Marches—the Hwiccas and the Megasaetas of the Severn Valley—into the kingdom of Greater Mercia.

§ **45. The Reign of Oswald the Bernician, 633–642.**—On the death of Eadwin without children, the kingdom of Northumbria passed successively to the sons of his sister by Æthelfrith—Oswald and Oswiu. In their exile the brothers had been sheltered by the Scottish monks of Iona: and in their reigns they encouraged their former protectors to evangelize not only Northumbria, but also the neighbouring kingdoms. The work of Paullinus, which had had little time to grow before the disaster at Heathfield, was done again in Northumbria by Aidan and his successors, Colman and Cuthbert,

and was extended southwards by Chad in Mercia, and by Cedd in Essex. In 635 Oswald established himself firmly on the throne by defeating Cadwallon at Heavenfield, near Wall's End on Tyne, and also acquired the overlordship of Wessex. The West Saxon acceptance of Christianity and of Northumbrian supremacy in the same year, marked the alliance of Christian States against Penda, who had constituted himself the champion of the older and more militant religion of the English. In 642 Oswald fell in battle against Penda at Maserfield, near the place which still bears his name—Oswestry.

§ 46. **The Reign of Oswiu, 642–670.**—Oswald's brother Oswiu, after reigning nine years in Deira, overthrew his cousin Oswini in 651, and thus restored the union of Northumbria. In 655 he was attacked by the nonagenarian king Penda, who ended his career in the battle of Winwæd or Winwidfield, in the forest of Loidis (*Leeds*). Oswiu followed up his success by overrunning Mercia; but in 659 Penda's nephew Wulfhere recovered the independence of the non-Christian kingdom. Meanwhile the controversies between the Roman and the Keltic missionaries—which had existed in the days of Augustine—had come to a head: they observed Easter at different times, and the clergy had their heads shaved in different ways. To settle these controversies, Oswiu in 664 called a church assembly at Streoneshalch (*Whitby*), which decided in favour of the Roman Use. When Wilfred of Ripon pointed out that the Roman method had the sanction of S. Peter, Oswiu threw his weight on the side of Rome, lest S. Peter, as keeper of the keys of Heaven, should lock him out of Paradise.

§ 47. **Theodore of Tarsus, Archbishop of Canterbury, 668–690.**—The Synod of Whitby established throughout England a general uniformity in ritual and doctrine, which the next Archbishop of Canterbury extended to the sphere of church-government. Theodore of Tarsus, who was appointed by Pope Vitalian to be Archbishop in 668, became the "second founder of the English Church." He increased the number of bishops, so that there was one bishop for each English folk. Moreover, these bishops, instead of being missionary bishops, each had fixed head-quarters in the church containing his bishop's stool (*cathedral*); and this establishment of bishops with regular dioceses gathered round a recognized centre was speedily followed by the establishment of a parochial clergy. Thus, over and above the influence which Christianity had in softening the harshness and ruggedness of the individual, it also had a great political influence: the erection of a single church

system in which all Englishmen were embraced, and which was held together by obedience to the Primate, prepared the way for the union of all Englishmen in a single State owing allegiance to a single King. The first assembly which represented Englishmen of all folks was the national church-synod convened by Theodore at Hertford in 673.

§ **48. The Reign of Ecgfrith, 670–685.**—The likelihood that it would be the King of Northumbria who would achieve the civil unity of the English passed away with Oswiu's son and successor Ecgfrith. His attempt to convert into a real headship his nominal supremacy over the Britons of Strathclyde and the Northern Picts was frustrated by his defeat at Nechtansmere (*Dunnichen*, near Forfar) in 685 ; and after this blow Northumbria fell into a condition of anarchy marked by the succession of no fewer than fifteen kings in the next one hundred and twenty years.

§ **49. Literary Activity in Northumbria.**—But even when plunged into political chaos Northumbria long remained the centre of English learning. Education was given in the monasteries founded by Benedict Biscop at Wearmouth and Jarrow in the days of King Ecgfrith. Biscop's contemporary, Cædmon, the monk of Whitby who sang the Creation in the *Paraphrase*, had a follower in Cynewulf of Lindisfarne, who, a hundred years after Cædmon, wrote the religious poems, *Elene* and *Christ*. But the greatest name in Northumbrian literature is Baeda, "the Venerable Bede" (673-735). In his monastic cell at Jarrow, Baeda not only translated part of the Bible into English, but also wrote in Latin that *Ecclesiastical History of the English Nation* which forms our main authority for the story of the conquest and conversion of the English.

II. Supremacy of Mercia, 685–796.

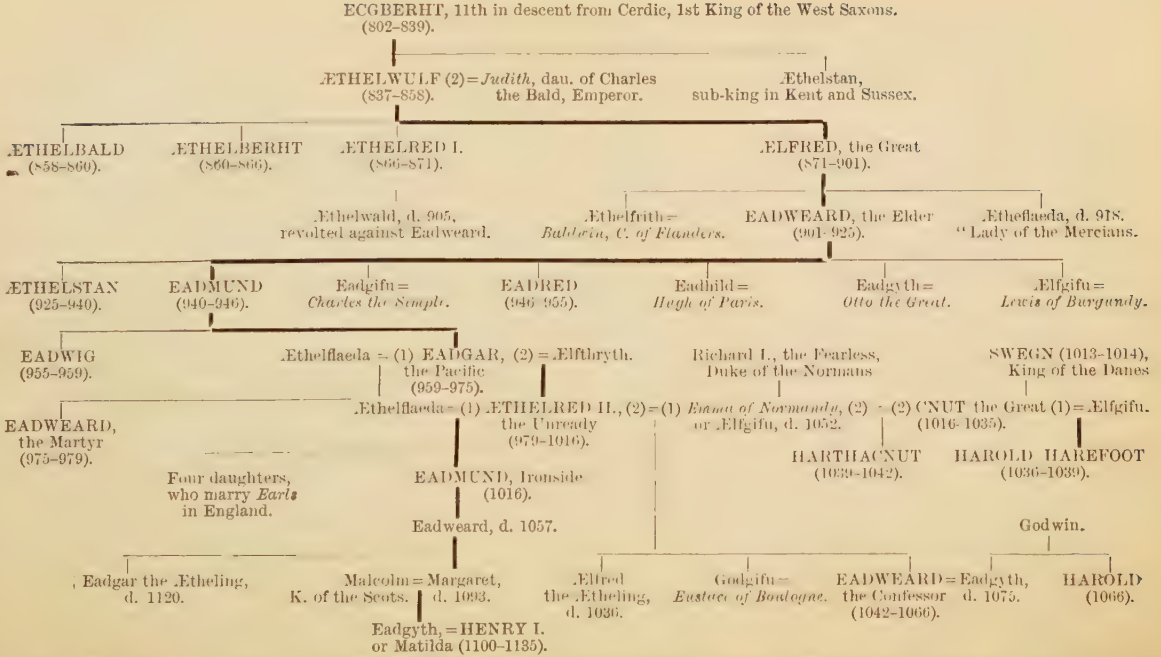
§ **50. Ine of Wessex, 688 725.**—Bede's life roughly coincides in point of time with a period in which none of the English kingdoms took a definite lead : the political supremacy of Northumbria was a thing of the past, and Mercia had not yet taken its place. It was during this period that Wessex, long suffering from internal divisions and from its over-rapid expansion under Ceawlin (§ 39), again swung to the fore. King Ine resumed the war against the Welsh in the Devonian peninsula, and secured his advance by the occupation of Taunton and Exeter ; and he established a new bishopric at Sherborne—afterwards moved to Sarum or Salisbury—to look after the western extensions of his realm. His attempt to push into South

Cambria brought him into conflict with the Mercians, whom he routed in 715 at Wanborough near Swindon. Ine was also one of the most notable among the Old English legislators: his collection of laws is the oldest—save that made by Æthelberht, King of Kent—which has come down to us. Like most primitive legislation, these laws profess not to alter or improve, but rather to place clearly on record, the existing customs as remembered by immemorial tradition. Ine followed the example of many of the best kings of his time in resigning his crown that he might end his days in the cloister, preparing for death.

§ **51. Æthelbald of Mercia, 716–755.**—On Ine's abdication the reigning King of Mercia, Æthelbald, a nephew of Penda, overran Wessex and acquired so much power, that he claimed to be "King not only of the Mercians, but also of all the folks that are called by the general name of South English." Though defeated by the West Saxons at Burford in 754, he laid the foundations of a Mercian supremacy, and set the example of assuming a title which, though in fact an exaggeration, embodied a political ideal—*Rex Britanniæ.*

§ **52. Offa of Mercia, 757–796.**—After an interval Æthelbald was succeeded by Offa, the great King of the Mercians. In 775 he overthrew Kent at the battle of Otford, and four years later his victory at Bensington not only restored the supremacy of Mercia over Wessex, but also enabled him to add to his dominions the West Saxon territories north of the Thames. Then marching westward he wrested the eastern part of Powys from the Welsh, turning their stronghold of Pengwern into the English Shrewsbury; and he forbade them to cross the earthen rampart which he drew from the mouth of the Dee to that of the Wye, and which is still known as Offa's Dyke. He also gave his dominions an ecclesiastical unity by inducing the Pope to grant to the bishop of Lichfield archiepiscopal authority over all the sees in Mercia and East Anglia. This establishment of the short-lived archbishopric of Lichfield (787–803) was a retrograde step, insomuch as it involved, both the break-up of the ecclesiastical unity which Theodore had achieved (§ 47), and the lessening of the autonomy of the English Church by the payment of Rome-scot or Peter-pence to the Papacy; but it enhanced the dignity of Mercia. Moreover, Offa was treated as an equal by the greatest monarch in Western Europe—Charles the Great, the Frankish King who afterwards became Roman Emperor. The supremacy of Mercia was continued under Cenwulf (796–819), but was brought to a close in 825 by the West Saxon victory of Ellandun (§ 54).

The Old English Kings.


ECGBERHT, 11th in descent from Cerdic, 1st King of the West Saxons. (802–839).
ÆTHELWULF (2) = Judith, dau. of Charles the Bald, Emperor. (837–858).
Æthelstan, sub-king in Kent and Sussex.
ÆTHELBALD (858–860).
ÆTHELBERHT (860–866).
ÆTHELRED I. (866–871).
ÆLFRED, the Great (871–901).
Æthelwald, d. 905, revolted against Eadweard.
Æthelfrith = Baldwin, C. of Flanders.
EADWEARD, the Elder (901–925).
Æthelflaeda, d. 918. "Lady of the Mercians."
ÆTHELSTAN (925–940).
EADMUND (940–946).
Eadgifu = Charles the Simple.
EADRED (946–955).
Eadhild = Hugh of Paris.
Eadgyth = Otto the Great.
Ælfgifu = Lewis of Burgundy.
EADWIG (955–959).
Æthelflaeda = (1) EADGAR, the Pacific (959–975). (2) = Ælfthryth.
Richard I., the Fearless, Duke of the Normans
SWEGN (1013–1014), King of the Danes
EADWEARD, the Martyr (975–979).
Æthelflaeda = (1) ÆTHELRED II., the Unready (979–1016). (2) = (1) Emma of Normandy, (2) or Ælfgifu, d. 1052.
(2) CNUT the Great (1016–1035). (1) = Ælfgifu.
Four daughters, who marry Earls in England.
EADMUND, Ironside (1016).
HARTHACNUT (1039–1042).
HAROLD HAREFOOT (1036–1039).
Eadweard, d. 1057.
Godwin.
, Eadgar the Æthelng, d. 1120.
Malcolm = Margaret, K. of the Scots. d. 1093.
Ælfred the Æthelng, d. 1036.
Godgifu = Eustace of Boulogne.
EADWEARD = the Confessor (1042–1066).
Eadgyth, d. 1075.
HAROLD (1066).
Eadgyth, = HENRY I. or Matilda (1100–1135).

NOTE.—The above Table shows: (1) in CAPITALS, all the West Saxon, later English, kings from Ecgberht to Harold—the dates in brackets marking the limits of their reigns; (2) in *italics*, eight notable marriage connections between those kings and Continental rulers; (3) by thick rules, the line of descent from Ecgberht to Victoria as far as Henry I. From one of Harold's daughters is descended Queen Victoria's daughter-in-law, Alexandra, Princess of Wales. The family connections of the Norman Dukes and Danish Kings are shown more fully on p. 31.

Family Connections of the Danish and Norman Kings of England.

NORMANDY.
ROLF, the Ganger
(911–927).

WILLIAM I., Longsword
(927–943).

RICHARD I., the Fearless
(943–996).

RICHARD II., the Good
(996–1026).

RICHARD III.
(1026–1028).

ROBERT I., the Devil
(1028–1035).

WILLIAM II. (1035–1087).
WILLIAM I. (1066–1087).

ROBERT II.,
Curthose
(1087–1106)
d. 1135.

WILLIAM II.,
Rufus
(1087–1100).

DENMARK.
Gorm, the Old
(860–935).

Harald, Bluetooth
(935–985).

OLAF TRYGGVASSON = Thyre
(996–1000).

SWEGN, Forkbeard.
(Denmark : 985–1014.
England : 1013–1014.)

Æthelflaeda = (1) ÆTHELRED II. = (1) Emma, (2) = (2) **CNUT**, the Great, (1) = Ælfgifu.
(979–1016). d. 1052. (E. 1016–1035. D. 1018–1035. N. 1028–1035.)

EADMUND,
Ironside
(1016).

Eadweard.

Margaret = *Malcolm*,
d. 1093. Canmore
(1057–1093).

EADWEARD,
the Confessor
(1042–1066).

HARTHACNUT
(D. 1035–1042.
E. 1039–1042.)
succeeded in Denmark
by *MAGNUS THE GOOD*
(1035–1047).

HAROLD
(1035–1039).

Estrid = Ulf Jarl,
whose sister
married
Earl Godwin.

Swegn,
Estridson
(1047–1074),
who fought against
HARALD HARDRADA
(1047–1066).

Adela = Stephen
of Blois.
STEPHEN == Matilda.
(1135–1154).

Mary, = Eustace
of Boulogne.

David I.
(1124–1153)
[see p. 108].

HENRY I. = Matilda.
(1100–1135). d. 1118.

KEY TO VARIETIES OF TYPE.

Dukes of Normandy ... SMALL CAPITALS.
Kings of England ... ... LARGE CAPITALS. } Rulers of both countries in **DARK CAPITALS**.
Kings of Denmark ... ... **Dark type.**
Kings of Scotland ... ... *Small italics.* } Similarity of type calls attention to close connection of the two countries.
Kings of Norway ... ... *ITALIC CAPITALS.* } The three Norwegian Kings shown were all descended from *HAROLD FAIRHAIR*, the Unifier [(863–932).

CHAPTER V.

THE COMING OF THE DANES, 787-901.

THREE CENTURIES OF SCANDINAVIAN DOINGS OVER SEA.

I. In the British Isles.	II. Outside the British Isles.
(1) *Period of Plunder*, 787–855.	
787. First Attack on England.	**799.** First Attack on West Frankland (*France*).
794. First Attack on Scotland.	
795. First Attack on Ireland.	**835.** First Attack on East Frankland (*Germany*).
836. B. Hengestesdun: Danes defeated.	**845.** Northman Sack of Paris.
(2) *Period of Settlement*, 855–980.	
855. Danes winter in Sheppey.	
876–7. Danes occupy Northumbria and Mercia.	**861–875.** Norwegian Discovery and Settlement of Iceland.
	876. Rolf sails up Seine.
880. Danes occupy East Anglia.	**885.** Northman Siege of Paris.
901–937. West Saxon Reconquest of Danelagh.	**913.** Rolf the Northman becomes Duke in "Normandy."
(3) *Period of Conquest*, 980–1042.	
1014. Ostmen defeated at Clontarf by the Irish king, Brian Boru.	**983–1000.** Norwegians settle in Greenland and discover Vinland (*America*).
1016–1042. Danish kings rule England.	**1040–60.** Norman Conquest of South Italy.
1066. William the Norman, King of England.	**1060–90.** Norman Conquest of Sicily.
1098. Last Norse Raid on S. Britain (*Anglesey*) by Magnus Bareleg.	**1095–9.** First Crusade: largely led by Normans.

900–1263. The Hebrides (Western Isles of Scotland or Sudreys) remained in Norse hands till the battle of Largs, **1263.**

Note.—The subdivision into periods applies generally to both columns, but the dates appended apply to England only.

I. The Period of Plunder, 787–855.

§ **53. Main Stages in the Attacks of the Northmen.**—In 787, while Offa was still King of the Mercians, "the first ships of the Danish men sought the land of the English" (*English Chronicle*); and about the same time they began to attack by land and sea the

dominions of Charles the Great. The Danes and the Norwegians—collectively called Northmen or Scandinavians—were during the eighth century in much the same stage of development as the English and other German tribes had been four centuries earlier (§§ 31, 32); but it was apparently over-population and sheer love of adventure, not the pressure of more savage peoples in their rear, that sent them forth to scour the southward seas and lands in search of sport and spoil. At first their object was merely to fight and plunder; but in the ninth century the rise of strong kings in their Scandinavian peninsulas impelled the petty chiefs who would not acknowledge a master, to lead their followers forth to win homes beyond the sea; and in the eleventh century the great kings of the mother-land embarked on a brief career of dynastic conquest (ch. vii.). Throughout these three stages it was mainly with the Danes that England had to deal: the Norwegians devoted themselves mainly to the Keltic portions of the British Isles, and to the northern islands of the Atlantic.

§ 54. **Ecgberht, King of Wessex, 802–839.**—It was through heading the English resistance to the Danes that Wessex acquired a supremacy more lasting, if not much more complete, than that which Northumbria and Mercia had successively held. Since the abdication of Ine (§ 50), Wessex had passed through a period of anarchy and subjection, from which it was raised by Ecgberht, who had learnt much about the art of government during his exile at the court of Charles the Great (§ 52). Recalled in 802 by the West Saxons to be their king, Ecgberht first set himself to organize his kingdom, and then turned to face the Mercians, whom he defeated at Ellandun (*Allington* in Wilts) in 825. His victory was followed by the submission of all the English kingdoms: Kent, Sussex, and Essex he entrusted to rulers of his own house; East Anglia, Mercia, and Northumbria he left in charge of their native kings. In 836 he defeated a coalition of South Welsh and Danes at Hengestesdun on the Cornish side of the river Tamar; and in the following year he resigned the crown. Ecgberht once called himself *Rex Anglorum*—King of the English; but he was not the only king. Like his contemporary and model, Charles the Great, he divided his realm among his sons, assigning Wessex and the pre-eminence to his eldest son Æthelwulf.

§ 55. **Æthelwulf, King of Wessex, 839–858.**—The incursions of the Danes, comparatively infrequent in the reign of Ecgberht, became an almost annual occurrence in the reigns of his sons. In

851 Æthelwulf defeated at Ockley, in Surrey, a horde which had just sacked Canterbury and London. Four years later a Danish band wintered in England for the first time—in Sheppey: this novelty, like the similar establishment of the Jutes in Thanet four hundred years before (§ 37), marks the transition from the plundering to the settling stages in the invaders' expeditions (§ 53). In 855, on his way back from a pilgrimage to Rome, Æthelwulf married Judith, a daughter of Charles the Bald, grandson of Charles the Great, and King of the West Franks (840–877). This alliance expressed mutual sympathy, but led to no mutual aid against the common foe. English and Franks alike were driven back upon their own resources. In England the principal effects of the early Northman raids were twofold: they compelled the West Saxon kingship to enter into closer alliance with the church-authorities, and particularly with the Archbishop of Canterbury, in the life-and-death conflict between Christianity and heathendom; and they also forced the State to strengthen its military organization in such a way as to enable it to stand the strain of prolonged warfare against enemies who were equipped with better offensive and defensive arms, and who were more practised warriors than the English farmers (§ 58).

II. The Period of Settlement, 855–901.

§ 56. **The Three Elder Sons of Æthelwulf, 858–871.**—The successive reigns of the four sons of Æthelwulf were contemporary with the beginnings of the long reigns of the two first great unifying kings in Scandinavia—Gorm the Old, in Denmark (860–935), and Harald Fairhair, in Norway (863–932). Their "tyranny" both increased the activity of the roaming Northmen, and changed its direction. Æthelwulf's eldest son, Æthelbald, did nothing notable in his two years' reign except marrying his stepmother Judith. His brother, Æthelberht, was unable to save his capital, Winchester, from the Danes (860–866). During the reign of the next brother, Æthelred I. (866–871), the Danes successively ravaged southern Northumbria (they seem to have left Bernicia alone) and Mercia, taking York and Nottingham; then, crossing to East Anglia in 870, they slew the King Eadmund in the town that still bears his name—*Bury St. Edmunds*. In the following year (871) they pitched their camp at Reading, with a view to serving Wessex as they had served the tributary kingdoms. "In that year," says the *English Chronicle*, "nine folk-fights were fought south of the Thames, and many a

raid that is not numbered;" though victorious in one of the principal battles—fought at Æscesdun (*Ashdown*) on the northern slopes of the Berkshire Downs—the English were usually defeated. During the struggle Æthelred fell in battle and was succeeded by his youngest brother, Ælfred.

§ **57. The Fourth Son of Æthelwulf, Ælfred, 871-901.**—The dogged resistance of the West Saxons induced the Danes to seek easier prey; and they left Ælfred in comparative peace for the first seven years of his reign. In 876-7, many of them settled down in the southern portion of Northumbria and in Mercia; but early in 878 the more restless among them suddenly swooped down upon Ælfred, capturing his stronghold of Chippenham, and driving him to take refuge at Athelney, in the marshes of the Parret. From this shelter Ælfred organized his troops, and defeating the Danes at Ethandun (*Edington* in Wilts?), besieged them at Chippenham. About Easter the Danish host was starved into surrender; and by the *Treaty of Wedmore* its leader Guthrum promised to receive baptism, and to leave Ælfred unmolested within the limits of his kingdom. By this treaty the boundary-line between the West Saxon realm and Guthrum's kingdom of East Anglia ran up the Thames as far as Henley, and thence struck across country in a north-westerly direction to Brackley on the head-waters of the Great Ouse. Some years later Ælfred was able to punish Guthrum for permitting raids from his kingdom into Wessex by forcing him to accept a revision of the Chippenham treaty which transferred London to the West Saxon dominion. The revised treaty of 886 thus fixed the border-line: "up on the Thames and then up the Lea, and along the Lea unto its source, then right to Bedford and up on the Ouse unto Watling Street."

§ **58. Ælfred's Reforms during the Years of Peace, 878-893.**—North of Guthrum's kingdom there lay other Danish rulerships, the chief of which were "the Five Boroughs" of Danish Mercia—Stamford, Leicester, Derby, Nottingham, Lincoln (Map, p. 16)—and Deira. The greater part of the Anglian settlements in Britain were thus subjected to Danish rule and therefore became known as the *Danelagh* or *Danelaw*. So far as we know, Ælfred entered into treaty relations with only one of these states—that of East Anglia. Practically, therefore, Ælfred abandoned his shadowy claims to the overlordship of all England, and obtained in return undivided possession of a Wessex enlarged by the addition of Kent, Sussex, part of Essex, and half Mercia. He used the fifteen years

of almost unbroken peace which followed his victory in strengthening his kingdom in every way that he could devise. He organized a navy, and used part of it for the peaceful purpose of exploration by sending Othere to the White Sea. He also reconstituted his army, arranging that in the summer months one-third of his fighting force should be under arms, while the rest were attending to their ordinary work. Besides providing for the military necessities of the present, he tried to raise the entire social tone of his subjects: for instance, he drew up a code of laws, improved methods of education, and encouraged literature. He himself translated into English many of the most highly esteemed works of the time—*e. g.* Bede's *History*, and Boethius's *Consolations of Philosophy;* and he started the *English Chronicle*—the earliest account of any modern nation in its own native tongue. The wisdom of his reforms, coupled with his nobility of character and loveableness, have won for him the undisputed title of "the Great."

§ **59. Ælfred's last Years and Death, 893–901.**—The efficiency of Ælfred's military preparations was proved in a six years' struggle with a Danish host under Haesten or Hasting, who came over from Frankland in 893. He chased this host up and down the land—defeating them one time near London, another time at Buttington, near Shrewsbury, sometimes by land, sometimes by sea, until they broke up; some of its members settled down among their kinsmen north of Watling Street, some went over sea and joined the band of Rolf the Ganger—to whom the Frankish King gave "Normandy" a few years later (§§ 77, 93). Four years after his final triumph in 897, Ælfred died: he had fulfilled his ideal of "living worthily," and he had saved his country from imminent destruction, and equipped it for a century of growth (ch. vi.).

§ **60. Union of the Picts and Scots, 843.**—During the ninth century the Northmen played a great part in the history of the non-English parts of the British Isles. It was with the aid of Northmen that Kenneth McAlpine, King of the Scots, made good his claim, derived through his Pictish mother, to be King of the Picts also. Thus all Caledonia north of Graeme's Dyke was brought under one nominal ruler. Kenneth foreshadowed the later expansion southwards of his kingdom by attacking the isolated English in northern Bernicia (*Lothian*), and by forming a marriage alliance with the Briton king of Strathclyde (§§ 63, 64, 81). His importance in his own day was marked by the marriage of two daughters to Northmen and Keltic kings in Ireland. But that is another story (§ 123).

CHAPTER VI.

THE CONSOLIDATION OF THE ENGLISH, 901–979.

ILLUSTRATIONS OF CENTRIFUGAL AND OF CENTRIPETAL TENDENCIES IN ENGLAND.

I. Centrifugal.

878. *Treaty of Wedmore:* West Saxons *v.* Danes.

937. B. Brunanburh: Scots, North Welsh, and Danes ranged against Æthelstan.

945. Eadmund grants Strathclyde to Scots King.

948. Northumbrians join Danes against Eadred.

957. Eadgar with Northumbria and Mercia *v.* Eadwig in Wessex.

966. Eadgar grants Lothian to Scots King.

1016. Eadmund with Wessex, Essex, and East Anglia *v.* Cnut with Mercia and Northumbria.

1035. Harold Harefoot with North England *v.* Hartha Cnut with South England.

1066. William the Norman conquers the South-East of England.

1075. Project to divide England into three earldoms.

II. Centripetal.

922. Submission of the Five Boroughs.

924. Scots, Northumbrian and Strathclyde Welsh take Eadweard "to father and lord."

926. South and West Welsh, Scots and Northumbrians swear fealty to Æthelstan.

947. Northumbrians submit to Eadred.

959. Eadgar unites all England.

973. Eadgar's under-kings at Chester.

1017. Cnut unites all England under his sway, but—
(*a*) it is only part of his dominions,
(*b*) it is divided into earldoms.

1037. Harold Harefoot reunites England.

1068–1071. William conquers West and North of England.

1072. Malcolm, King of Scots, submits to William at Abernethy.

I. The Conquest of the Danelagh, 901–925.

§ **61. Results of the Danish Settlements.**—At Ælfred's death England was almost evenly divided between the West Saxon kingdom and a number of Danish states; and it was one of the tasks of Ælfred's successors in the tenth century to establish their authority over these Danish states (§ 58). The existence of place-names ending in *-by*, or *-thorpe*, or *-toft*, shows that the Danes settled thickest in East Anglia, in the country lying between Nene and Trent, and along the valleys of Ouse and Tees; while the existence of place-names ending in *-thwaite*, *-fell*, or *-garth*, shows that Norwegians settled thickest in the Lake District—which had not yet

become part of England (§ 100). The Danes soon intermarried with the people among whom they settled; the new blood had a bracing effect on the English character; the new-comers enriched the language with new words, such as *jarl*, later *earl*, for *ealdorman*, and *grith* for *frith*, *are* for *be*, *law* for *doom*; and throughout the Danelagh—the regions where Danish *law* prevailed—they probably checked the tendency of the landless ceorl to sink into serfdom (§ 66). In the long run the effect of the Danish inroads and settlement was to increase town-life and to spread commerce in England: in days of frequent raids and counter-raids men naturally hived together in towns for greater security; the sea-faring habits of the invaders helped to develop maritime commerce; and the growth of trade and town-life together worked a great change in English social habits. Besides introducing a rougher, stronger, and perhaps freer element into the language and life of the English, the Danes helped to break down the old tribal jealousies in Mercia and Northumbria. They thus prepared the way for the West Saxon reconquest, which was made easier by the absence of fresh immigrants from over sea for nearly a century after Ælfred's death (§ 76), and by the high political ability of most of the tenth-century kings in Wessex.

§ **62. Eadweard the Elder, 901–925.**—The military methods which Ælfred had used for defence were used for offensive purposes by his son Eadweard and by his daughter Æthelflæda, the "Lady of the Mercians." Ælfred had already won back London before his death (§ 57): his successors drew a line of fortresses along the frontier, extending from Hereford through Chester, Stafford, Tamworth, and Warwick to Bedford. Pushing in advance of these fortresses, they took Derby and Leicester—the nearest of the "Five Boroughs" of Danish Southumbria (§ 58)—before Æthelflæda's death in 918. The rest of the Five Boroughs—Stamford, Lincoln, and Nottingham—yielded in the course of the next six years. Before then Eadweard had received the submission of Essex and East Anglia; and in 924, the year of the capture of Nottingham, not only the Danes and English of Northumbria, but also the Britons of Strathclyde, and Constantine, King of the Picts and Scots (§ 60), acknowledged his overlordship—or, as the *Chronicle* puts it, "took him to father and lord."

II. The Imperial Claims of Wessex, 925–979.

§ **63. The Three Sons of Eadweard, 925–955.**—Whether Eadweard ever received such a submission is as uncertain as its

exact political significance; but his sons showed that they took their supremacy seriously, not only by styling themselves "*Caesar*," or "*Basileus totius Britanniae*," but also by enforcing obedience to their claims (§ 35). Moreover, the fact that their sisters were taken in marriage by the most prominent princes on the Continent shows that they were held in high esteem abroad: one sister married Charles the Simple, King of the West Franks; another married Hugh the Great, Duke of the Franks, whose son became the first of a line of French Kings (Table, p. 124); a third married Otto the Saxon, King of the East Franks, who in 962 revived the title of Roman Emperor in the West (§ 35). In 937 Æthelstan (925–940) crushed the Scots and Strathclyde Britons, who had called in Northmen from Ireland to help them throw off his yoke, in a great battle at Brunanburh, the site of which is unknown. In 945 Eadmund the Magnificent (940–946) conquered the northern part of Strathclyde and bestowed it on the Scottish King in order to secure his fidelity. In 948 Eadred the Excellent (946–955) defeated an attempt made by the Northumbrians, with the aid of the Danish King, Harald Bluetooth, to assert their independence. The supremacy of the West Saxon House was thus shown to be real enough both to inspire and to crush resistance among its more distant dependents.

§ **64. Eadgar the Pacific, 959–975.**—On the death of Eadred the throne passed successively to the two sons of Eadweard—Eadwig (955-8), and Eadgar (959–975). A quarrel between Eadwig and the clergy—usually the staunch allies of the Royal House (§ 55)—caused the greater part of England to desert him for his brother Eadgar, who succeeded him as sole king on his death in 959. His tactful dealings with his under-kings secured him a complete immunity from revolt, which earned him the name of "Pacific." The best instance of his conciliatory policy is supplied by his imitation of his father's policy towards the northern kingdom: in 966 he handed over Lothian—that part of Bernicia which lay between Tweed and Forth—to the Scottish King on condition that he should be fellow-worker by sea and by land with the donor. Eadgar's cession of Lothian lopped off a part of England, but it had the effect of leavening a hitherto Keltic kingdom with a vigorous English element, and of making English the dominant speech in the Picto-Scottish kingdom (§§ 81, 92).

§ **65. Dunstan, Archbishop, 960–988.**—Eadgar's chief adviser was Dunstan, a Benedictine monk of Glastonbury who had had great influence with his father and uncle, and who was the first

ecclesiastic to attain a leading place in the councils of an English King. Dunstan's voice was always in favour of a moderate and sane yet straightforward policy. As a statesman he upheld the wisdom of delegating much power to local authorities, in opposition to the centralizing policy supported by the West Saxon nobility. In his ecclesiastical capacity—whether as Abbot of Glastonbury or as Archbishop—he gave a guarded support to the monastic revival of his day. Monasticism means the practice of withdrawing as far as possible from the world for the purpose of leading a strictly religious life. The early Christian monks had lived solitary lives: later, they collected together into communities which frequently met together for common prayer and spent the rest of the day in useful work. When such communities became rich through the gifts of men who admired their piety and self-denial, they tended to become lazy and sometimes positively vicious. Such was the case in England in the tenth century; and the remedy proposed was the strict enforcement of the *Rule of S. Benedict*—that is the elaborate rule (*regula*, or, as we say, regulations) drawn up by the Benedict of Nursia in the sixth century. Dunstan helped to refound the monasteries destroyed by the Danes, and he endeavoured to make the "regular" clergy obey the rule of conduct to which they were pledged; but he did not follow the extreme reformers of his day in enforcing strict celibacy upon the "secular" clergy (§ 95). Hence he supported Eadgar's eldest son, Eadweard the Martyr (975–979), in opposition to the monkish party. He survived the accession of Eadweard's half-brother Æthelred II. for eight years, but lost his influence at court: before he died in 988 the renewal of the Danish inroads had opened another chapter in English History (§§ 68, 69, 76).

§ 66. **The Tenth-Century Constitution of England: (i) Local.**—The prolonged struggle with the Welsh and the Danes, and the expansion of a small folk-leadership into a large territorial kingdom, naturally effected great changes in the institutions which the English brought over with them from Germany (§ 42). The constant warfare had made both the King and the cultivators of the soil more dependent on the professional fighting-men. The King's thegns—those of his gesiths who were warriors—were rewarded with landed estates, and became an official nobility which quite overshadowed the older nobility of blood (*eorls*); and the ordinary villagers, though they continued to settle their disputes and arrange the cultivation of the common fields in their town-meeting (*tungemot*), tended more and more to "commend" themselves to a thegn

powerful enough to protect them (§ 74). The hundred-moot and the folk-moot continued to meet; but they each adopted the practice of leaving to a few of the members the work which had formerly been done by all. As the West Saxon realm extended, the territory occupied by each of its component folks was treated as a *shire* or division of the larger whole, and new shires were mapped out in the Midlands and the North as land was reconquered from the Danes. These artificial shires created in and after the tenth century are readily distinguishable from the older folk-shires: they take their name from the principal town in the shire—as Oxfordshire, Cambridgeshire, etc. The old folk-moot thus became a mere shire-moot, in which the former president, the ealdorman, was assisted by the bishop of the diocese and by the King's officer, the sheriff.

§ 67. (ii) **Central.**—No new popular assembly sprang up to be to the whole realm what the folk-moot had been to the original folk: it was impossible for all the freemen of a kingdom which reached from Exeter to Hexham, to meet together in one place for purposes of deliberation. The King therefore conducted the general management of affairs with the help of a meeting of "wise men" (*witena-gemot*). The "wisdom" of the members of this assembly was proved either by the fact that they held the office of bishop or ealdorman, or by the fact that they were personal friends of the King. They were all persons who had had some sort of practical business training in the administration of a shire or diocese or in the management of their landed estates; and they probably represented the prevalent sentiments of the more important personages and classes of the community quite as faithfully as the modern Parliament, with all its elaborate machinery of constituencies and elections, represents the British nation in our own day. The Witan were few in numbers, the average attendance being about thirty; and though their "powers" have been enumerated at great length by modern theorists, they usually had but little real power. They had a limited power of electing a king, and occasionally they deposed a king for misgovernment (§ 78): when once a king was chosen they were expected to place their experience at his disposal and he was expected to make use of their experience. Practically, therefore, the Witenagemot could counsel, but it had no means of controlling the King; and the good administration of the realm which Ælfred and his great successors had built up, depended entirely not on the system of government, but on the personal character of the King.

English Kings from William I. to Henry IV.

WILLIAM I., the Conqueror (1066–1087).

Robert, Curthose, Duke of Normandy (1087–1106), d. 1135.
- William Clito, C. of Flanders, d. 1128.

WILLIAM II., Rufus (1087–1100).
- Robert, E. of Gloucester, d. 1147.

HENRY I., Beauclerc (1100–1135). = Matilda, dau. of *MALCOLM III.*
- **Henry V.** = (1) Matilda, d. 1167. (2) = Geoffrey, E. of Anjou (1129–1151).
  - Eleanor, D. of Acquitaine. = HENRY II. (1154–1189).
    - Henry, d. 1183.
    - Geoffrey = Constance of Brittany. d. 1186.
      - Arthur, d. 1203.
      - Eleanor, d. 1241.
    - RICHARD I., Lion Heart, (1189–1199).
    - Hadwisa of Gloucester. = (1) JOHN, Lackland, (1199–1216). = (2) Isabella of Angoulême.
      - HENRY III. (1216–1272). = Eleanor of Provence.
        - Margaret = (2) EDWARD I., Longshanks (1272–1307). = (1) Eleanor of Castile.
          - Edmund, E. of Kent, d. 1330.
          - EDWARD II. (1307–1327). = Isabella of France.
            - EDWARD III. (1327–1377). = Philippa of Hainault.
              - Joan of Kent (3) = Edward, the Black Prince.
                - Anne of Bohemia. = (1) RICHARD II. (1377–1399). (2) = Isabella of France, whose sister Katharine = HENRY V.
              - John of Gaunt, D. of Lancaster, d. 1399. = Blanche.
                - HENRY IV. (1399–1413).
        - Edmund, Crouchback, E. of Chester, Lancaster, and Leicester, d. 1295.
          - Thomas, E. of Lancaster, Derby, and Leicester, d. 1321.
          - Henry, Wryneck, E. of Lancaster, etc., d. 1345.
            - Henry, Grismond, D. of Lancaster, d. 1362.
        - Margaret = *ALEXANDER III.* (1249–1286).
          - Margaret = Eric, K. of Norway (1281–1299).
            - Margaret, Maid of Norway, d. 1290.
      - Richard, D. of Cornwall, chosen Emperor, d. 1272.
      - Joan = *ALEXANDER II.* (1214–1249).
      - Isabel = Frederick II. (1212–1250).
      - William the Marshal. = (1) Eleanor (2) = Simon de Montfort, E. of Leicester.
    - Matilda = Henry the Lion, D. of Saxony.
      - **Otto IV.** (1198–1212).

Adela = Stephen of Blois.
- STEPHEN (1135–1154).
  - Eustace, d. 1153.
  - William, d. 1159.
- Henry, Bp. of Winchester, d. 1155.

NOTE.—English Kings, LARGE CAPITALS; Roman Emperors, **dark type**; Scots Kings, *ITALIC CAPITALS*. Black rules show the descent of Victoria, from William I. to Edward III.: continuation is shown on p. 144, the earlier part, from Egberht to Henry II., on p. 30. For Scots Kings, see p. 108. Dates within brackets mark the period within which the annexed title was held.

BOOK III.

ENGLAND UNDER FOREIGN KINGS, 979–1216.

INTRODUCTION.

§ **68. Retrospect, 410–979.**—During the six centuries which followed the departure of the Romans the island of Britain was slowly struggling from darkness to light, from chaos to order. In the course of this long struggle each of the two broad parts of the island tended to gather together into two distinct political aggregations of units, and to quarrel with one another as to where in the long and narrow and inhospitable waist of the island the frontier should be drawn between them. The former division of Britain into Roman and non-Roman thus tended to recur under the two names of England and Scotland; but it is well to remember that England included not only Englishmen, but also Britons (or Welsh) and Danes, and that Scotland included not only the Irish Scotsmen, but also Picts, Norwegians, Britons, and English. As yet neither England nor Scotland had attained a stable political unity: there was usually one king supreme in each, but his supremacy was a name and an assertion rather than an achieved fact. In England the unity was more complete on the ecclesiastical than on the civil side. But the Church, though one, was partly dependent on the Papacy, which had organized its unity (§§ 43, 47); and after the Norman Conquest the occasional influence exercised by the Papacy on the daughter-church stiffened into a regular, though not unlimited, control (§§ 95, 102). The English State owed the completion of its unity, as the English Church owed the very inception of its unity, to foreign influences: it was from the foreign kings who ruled England during the two hundred and forty years covered by our third book that England attained a much greater measure of civil unity than had been won for her by her native kings of the House of Wessex.

§ **69. The Foreign Kings of England, 1014–1216: (i) International Aspects.**—Æthelred II. forsook the conciliatory

counsels which had won for his father the name of "Pacific," and failed to rally the different peoples under his rule into offering a national resistance to the returning Danes: he was therefore expelled, and ultimately succeeded, by Cnut, King of the Danes. Cnut afterwards added Norway to his dominions, but his northern empire fell to pieces soon after his death. In 1042 all the English united in inviting Eadweard, son of Æthelred, to the throne of his fathers. Throughout Eadweard's reign there was a struggle going on between native English, Scandinavian, and Norman influences; and the year which saw his death witnessed also the decisive triumph of the last-named in the person of William, Duke of Normandy (ch. vii.). William was the first of four Norman kings of England, who were succeeded by four Angevin kings: it was nearly two hundred years before England again passed, in 1272, under the rule of a man who, though of Norman and Angevin descent, was dominated by the sense of being an Englishman, and was called by an English name—Edward I. (ch. viii.-xi.). The rule of foreign kings—Danish Norman, and Angevin—gives a certain unity to this period; but it is divided into two distinct portions by the events of 1066, which form one of the great lines of cleavage in English History. The accession of William the Conqueror, for which the events recorded in our seventh chapter may be regarded as a preparation, definitely removed England, as a State, from the circle of the northern kingdoms to that of central Europe, and brought it, as a Church, into close dependence on Rome. For nearly five centuries the ruler of England ruled also some part of Gaul; and the year 1558, which witnessed the loss of Calais by the English State, witnessed also the accession of the monarch who definitely effected the breach between Rome and the English Church (§§ 330–334).

§ **70. (ii) Constitutional Aspects.**—The Norman and Angevin kings effected as great a change in the constitutional as in the international relations of England; and here also the importance of the change can be measured only by reference to the immediately preceding history. Under a series of strong and able kings of the House of Cerdic, England had become one, but had been unable to evolve any machinery to keep her united. Some kings had tried a policy of centralization; some had tried the plan of delegating power to local magnates; but neither policy had succeeded in welding the formerly independent kingdoms into one coherent whole, dominated by the consciousness of a common nationality. England was constantly tending to fall to pieces again, and during

the first half of the eleventh century there were many partitions, either between contending kings or among the great earls nominally subject to a single king. These tendencies to division were effectively checked by William the Conqueror and his successors: they substituted the firm consolidation of a compact kingdom having an efficient central government for the loose consolidation of an empire aimed at by the native English kings (§§ 63–67). In order to understand the difficulties and the significance of this change, it is necessary to have some idea of the social and political phenomena known by the delusively simple name of "Feudalism," "Feudality," or the "Feudal System."

§ 71. **The General Meaning of Feudalism.**—"Feudalism" means an organization of society based on that conception of property, especially in land, which is called "feudal." The word "feudal" is a latinized derivative of an old German word, *feoh*, the modern equivalent of which is *Vieh*, and which means *cattle*. The common origin of our words *cattle* and *chattel* is a suggestive reminder that there was a time when men's possessions were contained in, and measured by, not metal money but live-stock. Men begin to form societies through the gregarious instincts which result in the family; but when different families come together, the idea of *property* to some extent supplants or supplements the idea of *kinship*. Men naturally quarrel with one another, and perhaps kill one another, in their eagerness to obtain what they regard as good things, until they come to some sort of agreement to recognize each other's property: "I will acknowledge what you have as your *very own*" (*i. e.* your *property*) "if you will also acknowledge what I have as my very own." The growth of some such mutual acknowledgment forms at least one of the foundations of society. Now-a-days all these latent acknowledgments are concealed under one common allegiance to the impersonal thing called "the State": we pay our taxes to the State, and the State, amongst other things, protects our property. But when the Germans swept over Western Europe, they destroyed the Roman State as a protecting power; and the security of property depended not on the mysterious force of a distant abstraction, but on the good-will of the nearest strong man. But those who wanted the said strong man's protection for life or property did not *pay* him so much money, they *did something* for him. Men were knit together by mutual obligations of protection and service; and in Western Europe, during the centuries immediately fore and aft of 1000 A.D., these mutual obligations were mainly

based on the tenure of land. That is the essence of Feudalism. In detail it differed in different places and at different times, but in all times and in all places feudalism included some at least of the four features described in the four following sections (§§ 72–75).

§ **72. Common Features of Feudalism:** (i) **Comitatus.**—The *Comitatus*, or comrade-ship, was the German practice, described by Tacitus, whereby men of good birth (*eorls*) gathered round the head-men (*principes*) and became his comrades (*comites* or *gesiths*). In return, he fed them and clothed them—in other words, he was their *hlaford*, or lord, their "loaf-giver"; later, in reward for their past services, he gave them of the lands which he had conquered, and they became *thegns* (§§ 42, 66): later still, the lord made the tie more enduring by substituting the sense of favours to come for the sense of favours received as the bond of union. Hence arose our second feature.

§ **73.** (ii) **Beneficia.**—"Benefices" (*beneficia*) were lands not merely *given* for service done in the *past*, but *granted* on condition of *future* service. All manner of quaint services are recorded: one of the Norman kings granted a Kentishman a piece of ground on condition that he "held the King's head" whenever he crossed the "choppy" waters of the Channel. But the commonest services were the performance of agricultural labour (by *socmen* and *villans*) and the rendering of military service (by *earls*, *barons*, and *knights*): in an age of perpetual warfare the latter kind of service was naturally esteemed the most honourable (cf. § 118). This method, which was slowly spreading before, gradually became universal after, the Norman Conquest, and was *the* distinctive feature of feudality (§§ 94, 101, 117). The King alone *owned* land: others only *held* it of him. Those who held land of the King directly or immediately—*i. e.* without the intervention of a middle (*medius*) man—were called tenants-in-chief (*tenentes in capite*) or crown-vassals: those who held land of the King indirectly or mediately—*i. e.* through the medium of a crown-vassal—were called *mesne tenants*. The whole tendency of feudalism in land-tenure was to insist on the responsibility to some higher person of every one who was permitted to enjoy the use of the land. Even the King did not really own the land: he merely held it of God on condition of doing him service.

§ **74.** (iii) **Commendation.**—Commendation was the practice whereby small landowners sought the protection of their big neighbour, or landless freemen were, for police purposes, compelled

to place themselves under the protection of such (§ 66). If the large landowner had received from the King a grant of those powers of jurisdiction known as *sac* and *soc* (*i. e.* certain powers of holding courts independent of the hundred-moot and shire-moot, and of receiving the fees paid by those who sought justice at his hands), such commendatories were said to "owe suit" at his court; and, after the Norman Conquest at any rate, to "owe service" also to him—usually villan services—for the land which they occupied.

§ **75. (iv) Jurisdiction.**—The idea that justice—or even government generally—was best administered by those who had a "stake in the country," in the shape of landed possessions, led to the partial substitution of the jurisdiction of lords in their seigneurial courts for the jurisdiction of the whole body of the freemen assembled in the old popular courts (§§ 66, 67). The Norman kings did their best to revive the latter in the interest of uniform central government. They made universal throughout England the feudal land tenures which had been growing up out of the *comitatus* and commendation (§§ 72-74); but they set themselves deliberately to check, and in the long run succeeded in checking, the disintegrating tendencies of feudality in the sphere of government (§§ 94, 97, 101, 108).

CHAPTER VII.

THE DANISH KINGS AND THE ENGLISH RESTORATION, 979–1066.

A. Personal Details.—For the family connections of the English kings in this chapter, see Table, p. 30: for those of the Danish kings, see Table, p. 31.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Basil II. (969–1025)	Revived by Otto I. (962)	Benedict VII. (974)	Lothar (954)	Kenneth II. (971)
Constantine IX. (976–1028)	Otto II. (973)	John XIV. (983)	Louis V. (986)	Constantine IV. (995)
	Otto III. (983)	John XV. (985)	*Last* **Carling**	Kenneth III. (997)
		Gregory V. (996)	Hugh Capet (987)	Malcolm II. (997)
		John XVI. ? (996)	Robert (996)	
		Sylvester II. (999)		
	Henry II. (1002)	John XVII. (1003)		
		John XVIII. (1003)		
Romanus III. (1028)		Sergius IV. (1009)		
Michael IV. (1034)	Conrad II. (1024)	Benedict VIII. (1012)		
Michael V. (1041)	Henry III. (1039)	John XIX. (1024)		
Constantine X. (1042)		Benedict IX. (1033)	Henry I. (1031)	Duncan I. (1034)
Theodora (1054)		Gregory VI. (1045)		Macbeth (1040)
Michael VI. (1056)	Henry IV. (1056–1106)	Clement II. (1046)		
Isaac I. (1057)		Damasus II. (1048)		
Constantine XI. (1059)		Leo IX. (1048)		
		Victor II. (1054)		
		Stephen IX. (1057)		Malcolm III. *Canmore* (1057–1093)
		Benedict X. (1058)		
		Nicolas II (1059)	Philip I. (1060–1108)	
		Alexander II. (1061)		

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) Scotland: §§ 81, 85.
- (2) Ireland: §§ 77, 84.
- (3) Denmark: §§ 76–83.
- (4) Norway: §§ 76, 77, 81, 86, 87.
- (5) Normandy: §§ 77, 82–89.
- (6) Flanders: § 84.
- (7) The Empire: § 81.

(ii) **Constitutional.**
- (1) Partitions of England: §§ 78–80, 83.
- (2) Earldoms: §§ 79, 82, 84, 85.
- (3) Church: §§ 82, 84.
- (4) Witenagemot: §§ 77, 78, 80, 86, 89.
- (5) Wales: §§ 85, 86.

I. The Renewal of Danish Inroads, 980–1016.

§ 76. The Character and Circumstances of Æthelred II., 979–991.—Æthelred II. reigned for a longer period than any other English king during the four centuries between Ecgberht and

Henry III. His reign was as unfortunate as it was long. It began with the murder of his half-brother, Eadweard, whom men called "the Martyr" (§ 65): it was marked throughout by disasters, which were made more disastrous by Æthelred's personal incapacity. His deeds justified his nickname of "the Unready," however that be interpreted: strictly speaking, the word means, "one that does not take counsel" (*un-rede*); but it is no less true that he was unready in the modern sense of not being "equipped for riding" or unprepared. He allowed himself to be dominated by the West Saxon nobility, who disliked Dunstan's policy of dealing gently with the other peoples in the kingdom, especially the Danes (§ 65). He thus revived the old local jealousies at the very moment when the country was again exposed, after an interval of nearly a century, to the inroads of fresh hordes of Northmen from over sea (§ 61). The invasions began in the year after Æthelred's accession, and were repeated year after year. They were now conducted not only by the petty chiefs of the Scandinavians, but by the head-kings themselves; and they soon developed from mere plundering raids into a systematic attempt at dynastic conquest (cf. § 53). The task of meeting the invaders was mostly left to the local authorities, who sometimes made the best terms they could for themselves, and sometimes offered a gallant but usually futile resistance. The memory of one of these unequal fights is perpetuated in a great war-song which has come down to us: it tells how Brihtnoth, Ealdorman of the East English, fell at Maldon, Essex, in 991, in a vain endeavour to beat back the army of the Norwegian King, Olaf Tryggvasson.

§ 77. **Æthelred's Methods of dealing with the Danes, 991–1013.**—In the year of the fight at Maldon, Æthelred tried to get rid of the invaders by paying them to go away. The money required was raised by the novel expedient of a general land-tax, imposed by the authority of the Witan on all the kingdom. But the respite thus bought was not used to organize the national defences, and when the Northmen returned they demanded a higher ransom. In 991 they were content with £10,000: twenty years later the amount of the *Danegeld* had risen fivefold. Fighting was really the cheaper policy, if only it had been well conducted on a large scale. In 994 Olaf was so severely handled by the Londoners that he left England for good; but an attempt to create a national fleet five years later ended in disaster. In 1002 Æthelred had recourse to two fresh devices: he made a marriage with Emma, daughter of Richard the Fearless, Duke of Normandy (Table, p. 31),

and he also ordered a general massacre of the Danes who had recently settled in Wessex, to take place on St. Brice's Day (November 13). But the massacre only gave the invaders an additional reason for coming—a desire for vengeance as well as a desire of gain; and the Norman marriage, though it deprived the wild Northmen of their rallying-ground among their civilized kinsmen on the Seine, did not bring Æthelred any positive strength. In 1014 even the disunited Irish, gathered together for a moment under the leadership of Brian Boru, were able to inflict a crushing blow on their Northman foes at Clontarf (§ 123): in the previous year Æthelred, the inheritor of the strong English kingdom, showed his sense of the hopelessness of the struggle by taking refuge in Normandy.

§ **78. Swegn, King of the English, 1013–1014.**—Æthelred's place was taken, with the consent of all parties, by Swegn, King of the Danes, who had been ravaging the country at intervals during the past twenty years, and whose activity had been increased and embittered by the death of his sister Gunhild in the Massacre of St. Brice's Day. But when Swegn died in 1014, after ruling for less than a year, the old divisions were renewed. The Danes chose as their king, Cnut, son of Swegn: the English Witan invited Æthelred to return "if he would rule them better than he did before."

§ **79. Æthelred II.'s Restoration, 1014–1016.**—Æthelred came back and was at first successful in his struggle with Cnut. He now had the help of two able men—his eldest son, Eadmund, and his son-in-law, Eadric the Ealdorman of the Mercians. But Eadric was entirely influenced by selfish considerations—men called him Streona or "the Grasper"; and in 1015 he quarrelled with Eadmund and took up the cause of Cnut. Cnut had already overrun Wessex; Eadric's change of sides gave him Mercia; and he had almost mastered England when Æthelred died early in 1016.

§ **80. Eadmund Ironside, 1016.**—On the death of Æthelred, the Londoners and the West Saxons generally rallied round his son Eadmund, while the Danelagh and the North remained obedient to Cnut. Eadmund struggled with the doggedness which won for him the name of Ironside; and in the course of seven months fought six pitched battles in South England, extending from Pen Selwood in Somerset to Assandun (*Ashington?* or *Ashdown?*) in Essex, and comparable to Ælfred's campaign in 871 (§ 56). Eadric's treachery at Assandun gave Cnut the victory; but the victory was so far from being complete that he was glad to come to terms with his adversary.

The *Treaty of Alney*, negotiated by the English Witan on an island in the Severn, assigned Wessex (including Kent and Sussex), East Anglia, and Essex to Eadmund and the rest of the country to the Dane. The partition had hardly been arranged, when Eadmund was murdered by Eadric the Grasper at the end of November, and Cnut became sole king.

II. Three Danish Kings, 1016–1042.

§ **81. Cnut the Great, 1016–1035** : (i) **International Position.**—In 1018 Cnut became King of Denmark on his brother's death, and in 1028 he also acquired Norway. During the latter years of his reign he was thus the ruler, and the effective ruler, of vast dominions, forming a kind of Northern Empire modelled on that Roman Empire which had recently been revived in the West by the Saxon kings of Germany. Cnut's empire was short-lived, but while it lasted it was so secure that Cnut could absent himself from it for two years to make a pilgrimage to Rome. While at Rome, in 1027, he witnessed the coronation of the Emperor Conrad, and obtained from him and the other kings present the grant of various facilities for such of his subjects as should make religious or commercial journeys in Western Europe. Cnut showed his appreciation of the real centre of affairs by this pilgrimage and by making England the head-quarters of his rule. Before he was quite settled on the English throne, Malcolm II. King of Scots had finally acquired Lothian by his victory over the Northumbrians at Carham in 1018; but towards the end of Cnut's reign, in 1031, Malcolm was forced to recognize the English overlordship (cf. §§ 63, 64). The extent of the overlordship thus acknowledged is unknown (§ 92): on the other hand, it is quite certain that Lothian was thenceforth part of what was now beginning to be called "the kingdom of Scotia."

§ **82.** (ii) **Cnut as an English King.**—Cnut began his reign in England by trying to heal up old sores, and by taking measures to prevent them breaking out again. He married Æthelred's widow, Emma of Normandy; he had the mischief-making Eadric put to death; and he sent back to Denmark all his Danish fighting-men save a small force of six thousand *hus-carls* to be his bodyguard. He thus showed that he trusted the loyalty of the English as a whole, but that he deemed it prudent to be safe from a surprise attack by such a man as Eadric. He continued the policy of dividing England into large rulerships for administrative purposes: there were usually four—Wessex, Mercia, Northumbria, and East Anglia—

and their rulers now began to drop their old English style of ealdorman for the shorter Danish form of earl (*jarl*). Two of these earls, Godwin * of Wessex, and Leofwin of Mercia, founded families which retained their importance for half a century. They were powerful, but were kept in due subordination so long as Cnut lived. Cnut himself developed from a savage warrior into a wise and firm ruler, not unworthy of being coupled with Ælfred as bearing the title of "the Great." Besides governing well, he built bridges, endowed churches, drained fens, and encouraged learning. In his letter from Rome to his English subjects he truly wrote, "I have never spared, nor will I ever spare, myself or my labour in taking care for the needs of my people."

§ **83. The Sons of Cnut, 1035–1042.**—Cnut died at Shaftesbury in 1035, and with him perished the peace and unity of his dominions. He left two sons, Harold and Harthacnut, the one born of an Englishwoman, the other born of the Norman Emma. Harold was accepted as king by most of the English, headed by Leofwin's son Leofric; but Godwin and the West Saxons chose Harthacnut, who had inherited Denmark. While this partition yet lasted Harold inveigled Emma's two sons by her first marriage over to England: one of them, Ælfred, he put to death, but the other, Eadweard, escaped back to Normandy. In the following year (1037) the West Saxons, weary of waiting for their absent king—who was trying to recover Norway—abandoned Harthacnut, banished his mother, and accepted Harold Harefoot. England was thus united under one king; it remained united during the rest of Harold's reign; when he died in 1040, it accepted Harthacnut; and when Harthacnut died, "as he stood at his drink," in June 1042, all the English folk chose Eadweard, his half-brother, to be their king.

III. The English Restoration, 1042–1066.

§ **84. Eadweard the Confessor: (i) Relations with Earl Godwin, 1042–1053.**—The removal of the Northman dynasty made room for a king who came of the Old English stock, but who was far from being English in his ways. Brought up in his mother's country, Eadweard had become more Norman than English. He was more interested in spiritual than in secular concerns: while he

* Godwin (*d.* 1053)

Swegn *d.* 1052	Harold *d.* 1066	Tostig *d.* 1066	Leofwin *d.* 1066	Gurth *d.* 1066	Wulfnoth	Eadgyth = Eadweard Confessor

yet lived men called him "the Confessor," and after his death he was revered as a saint. Thus his natural instincts and his convictions alike led him to attempt the improvement of the English Church by appointing officials trained in the severer schools of the Continent (§ 95): for instance, he made his Norman friend, Robert of Jumiéges, successively Bishop of London and Archbishop of Canterbury. The work of civil government he left largely in the experienced hands of those whom he found in possession—Godwin, Leofric, and Siward the Stout, Earl of Northumbria. Three years after his accession he married Godwin's daughter Eadgyth; but when in 1051 Godwin refused to punish his eldest son Swegn, who had abducted the Abbess of Leominster, and the men of Dover, who had attacked Eustace, the Count of Boulogne and the King's brother-in-law, Eadweard summoned the other earls to his assistance, and with their support banished Godwin and his sons. The outlaws took refuge in Flanders and Ireland. Eadweard turned his victory to the advantage of his Norman friends: he gave them offices, and when his cousin, Duke William, came over on a visit, he is said to have promised him the succession to the throne, which was not his to give (§ 67). Eadweard's foreign favouritism led to a reaction, which the Godwin family used as a means to force themselves back to power in 1052. Archbishop Robert took to flight, and Stigand, an Englishman, was uncanonically put in his place. In the year following his return Godwin died suddenly at the King's table, under circumstances which were held to prove his guilt in taking part in the murder of the King's brother Ælfred (§ 83).

§ 85. (ii) **Earl Harold and the Welsh, 1053–1066.**—Godwin's power passed to his eldest surviving son, Harold—Swegn having died on his way back from a pilgrimage to Jerusalem. Harold became Earl of Wessex; when Siward died in 1055, after an unsuccessful expedition against the Scots King Macbeth, the earldom of Northumbria was given to his brother Tostig; and in 1057 his younger brothers Gurth and Leofwin were respectively made earls of East Anglia and Kent (including Essex, Middlesex, and Berkshire). All England except Mercia was thus practically in the hands of the Godwins; and in self-defence Ælfgar, Earl of Mercia (1057–1063), made alliance with the Welsh. Since the time of Offa (§ 52), the tribes of Wales had been gradually settling down into groups—mainly determined by the geographical features of the land: in the North lay Gwynedd, sometimes including sea-facing Ceredigion and mountainous Powys; in the centre lay Breichiniog; and along the Bristol Channel there stretched from

west to east, Dyfed, Morganwg, and Gwent. When these regions came together under one rule, it was usually under the prince of Gwynedd: such were the great Welsh contemporaries of Ælfred and his sons—Rhodri Mawr (843–877) and Howel Dha (915–948); such too was Gruffydd ap Llewelyn in the time of Eadweard Confessor. Gruffydd married Ælfgar's daughter: hence national and family considerations combined to lead Harold to attack Wales. Aided by his brother Tostig, Harold defeated and slew the Welsh king in 1063. Having dealt this indirect blow at the Mercian house, Harold strove to conciliate it. In 1065 the Northumbrians expelled Tostig and chose as their earl, Morkere, younger brother of Eadwin, Ælfgar's son and successor. Harold assented to his brother's fall and the aggrandizement of the rival house. While parties were thus balanced Eadweard died in January 1066.

§ **86. King Harold II. and his Rivals, 1066.**—Eadweard died childless, and the nearest representative of the royal house, Eadgar the Ætheling, grandson of Eadmund Ironside, seemed too young to face the troubles which were known to be brewing. It was not usual for the Witan to accept any one as king who was not of the blood royal; but they had accepted Cnut, and now they chose Harold Godwinson to be king. Harold tried to strengthen his position not only by organizing his forces, but also by marrying Ealdgyth, widow of Gruffydd, and sister of the Earls Eadwin and Morkere. His succession to the kingship was threatened by his brother Tostig, by Harald Hardrada, the adventurous King of Norway, and by William, Duke of the Normans. William was the nearest and most dangerous rival: he was connected by marriage with the English royal house (Table, p. 31): he claimed to have received from Eadweard the promise of the succession, and from Harold—wrecked on the coast of Normandy at some unknown time—an oath to support his claims. From a legal point of view, William's claims were worthless: from a moral point of view, it might be contended that Harold's oaths, if taken at all, were extorted by compulsion and deception, and were not binding. Nevertheless, William obtained the sanction and blessing of the Pope for his intended expedition against the alleged perjurer and usurper (§§ 94, 95).

§ **87. Battle of Stamford Bridge, September 25, 1066.**—All through the summer Harold awaited William's arrival on the south coast; but in September provisions ran short, and his men dispersed to their homes to get in the harvest. Meanwhile Tostig had appeared in the Humber, but had been driven away by Eadwin and Morkere. He then joined forces with the Norwegian King;

together they sailed to the Humber, and defeated the sons of Ælfgar at Fulford on September 20. Five days later the invaders were surprised and defeated by Harold at Stamford Bridge on the Derwent, a few miles east of York. How Tostig and his ally fell on the field—is it not told in the *Saga of King Harald Sigurdson?*

§ **88. Battle of Hastings, October 14, 1066.**—Harold Godwinson had pushed north by forced marches to the help of Eadwin and Morkere; but when the news came that, three days after the victory at Stamford Bridge, the Norman Duke had landed at Pevensey in Sussex, the northern earls hung back from helping in turn their rescuer and their brother-in-law. Harold went south, collecting what troops he could, and refusing to listen to his brothers' advice to await reinforcements, took up a position on the hill of Senlac near Hastings, in order to force on the battle at once. As his men were mostly ill-trained and ill-armed peasants, he placed them behind a palisade. Early in the morning of St. Calixtus' Day, William attacked the English; but for many hours his archers and his mailed horsemen alike failed to dislodge them. Towards evening a feigned retreat of the Normans caused the English to sally forth from their defences: the Normans turned on the pursuers and gained the crest of the hill. Having thus broken the wings, the Normans closed round the picked troops forming the centre of the English host. William ordered his archers to shoot in the air, so that the arrows fell on the defenceless faces of the men who were using their shields as a protection against the weapons of the knights fighting them hand to hand. By sunset Harold, his brothers, and his household troops had fallen round the royal standard. William pitched his tent in the midst of the slain, and ordered the body of the perjured traitor to be buried on the shore—a fit sepulchre for "the one English King who has died fighting for his fatherland."

§ **89. William's Coronation, Christmas Day, 1066.**—The English Witan chose Eadgar Ætheling to be king; but there was no man left to organize resistance to the invader. William marched past London—which was gradually taking the place of Winchester as the national capital—and, crossing the Thames at Wallingford, took up a position at Berkhampstead in the Chilterns. He thus cut off the Londoners from the considerable forces which Eadwin and Morkere could have brought to them, had they cared to do so. Eadgar's adherents were helpless: they invited William to reign over them. On Christmas Day, 1066, he was crowned by Ealdred, Archbishop of York, in the Abbey recently built by the Confessor on Thorney—the island nucleus of the modern city of Westminster.

CHAPTER VIII.

WILLIAM THE CONQUEROR, 1066–1087.

A. Personal History.—The illegitimate son of Robert the Devil, Duke of the Normans, by Harlotta, or Haleva, daughter of a tanner of Falaise; born in 1027; succeeded his father as Duke in 1035; married Matilda of Flanders, a descendant of Ælfred the Great, 1053; crowned King of the English, December 25, 1066; died, September 9, 1087: buried at Caen in Normandy. For his descent, see Table, p. 31: for his descendants, see Table, p. 42.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Romanus IV. (1067)	Henry IV. (1056–1106)	Alexander II. (1061)	Philip I. (1060–1108)	Malcolm III.
Michael VII. (1071)	*Various Rivals:*— Rudolf of Swabia (1071)	Gregory VII. *Hildebrand* (1073)		*Canmore* (1057–1093)
Nicephorus III. (1078)	Hermann of Luxemburg (1081)			
Alexis I. (1081)	Conrad of Franconia (1093)	Victor III. (1086)		

C. Topics of the Reign.

(i) **International**: *relations with*—
(1) Papacy: §§ 93, 95.
(2) Scotland: §§ 90, 92.
(3) France: §§ 93, 98.
(4) Norway: § 96.
(5) Denmark: §§ 91, 96.

(ii) **Constitutional.**
(1) English Risings: §§ 90, 91.
(2) Baronial Risings: § 96.
(3) The Church: § 95.
(4) Feudalism: §§ 93, 94, 97.
(5) Taxation: §§ 96, 97.

I. Completion of the Norman Conquest, 1066–1072.

§ **90. Conquest of the West, 1067–1068.**—The Norman Conquest of England was neither begun nor finished at the battle of Hastings. The successive marriages of the Norman Emma to Æthelred and Cnut, and the normanizing influences of Emma's son led up to William's intervention (§§ 77, 82, 84): the battle of Hastings merely removed his greatest obstacle. Harold's defeat and death gave

William the English crown; but he had still much hard fighting to do before he made good his position. Nevertheless, in 1067 everything seemed so quiet that William returned to Normandy for nine months, leaving his half-brother Odo, Bishop of Bayeux, in charge of England. During the government of Odo, who was less conciliatory than his master, insurrections broke out in Kent and Hereford, and Eadgar Ætheling practically renounced his submission to William by taking flight to Scotland. In 1068, however, William was so successful in suppressing various risings—beating back the sons of Harold from Exeter and Bristol, and forcing the Northumbrians to submit—that the Scots King, Malcolm III., deemed it prudent to make peace.

§ **91. Conquest of the North and of the Fens, 1069–1071.**—In 1069 a second rising took place in the North, assisted by a great fleet sent by Cnut's nephew, Swegn, King of Denmark. But the Danes did little except plunder York and other places, and sail away with their booty. William determined to stop this unrest, and ordered the whole of the fertile valleys draining into the Yorkshire Ouse to be laid waste. In the winter he crossed the hills to Chester and reduced the Marches and Wales to submission in the spring of 1070. The English who still declined to bow to William took refuge either in Scotland or in the Fens—the almost inaccessible swamp through which various rivers wound their sluggish way into the Wash. The head-quarters of these malcontents were the Isle of Ely, and their leader was Hereward, "the last of the English." In 1071 William penetrated into this Camp of Refuge, and Hereward disappeared: accounts differ as to whether he died in defending Ely, or escaped to foreign parts, or accepted William's pardon and favour. Certainly Morkere was pardoned: his brother Eadwin had already been slain as he was making his way to Ely.

§ **92. Malcolm Canmore's Submission at Abernethy, 1072.**—The English, unable to organize a national resistance, had been beaten piecemeal; their hopes of help from the Danes had been shattered; and they now had but one source of possible help—the Scots King, Malcolm III., surnamed Canmore or Bighead, who had married Eadgar Ætheling's sister Margaret some time between 1067 and 1070. Accordingly in 1072 William led an army northwards, not only across the Tweed but beyond the Forth; and at Abernethy, on the Tay, Malcolm "became his man." William thus reasserted the imperial position of the Old English kings (§§ 35, 63, 64, 81): whether the acknowledged suzerainty of the English King was to

be nominal or real depended on circumstances. The Norman Conquest of England affected Scotland almost as much as it affected England. The English element in the Lothians was increased by the settlement there of refugees from England. From being a mere appurtenance to a Gaelic kingdom, the English thus came to be regarded as the most valuable part of the Scottish King's dominions. Following on the alliance of the Norman and Scottish kings, Normans also settled in the Lowlands (§ 106); and the Anglo-Norman element in the South remained in close connection with England until alienated by the Edwardian War of Independence (ch. xiv.).

II. Consequences of the Norman Conquest, 1070–1087.

§ **93. The Normans and their Duke.**—The Norman Conquest owed its success as a military operation mainly to the divisions existing among the English: its constitutional effects were largely shaped by the character of the Normans and their leader, and by the conditions of their joint enterprise. The Normans were the descendants of those vikings who, in 913, had forced the West Frankish King to give formal sanction to their settlement on the lower Seine (§ 59). The hardy Northmen quickly adopted the language, customs, and religion of those among whom they settled: in France they became French, in England they became English, in Italy they became Italian; but in all cases they infected with their own vigour and resourcefulness the people by whom they were absorbed. Thus Normandy became a kind of French Danelagh—with the important difference that it retained a position of semi-independence under the rule of the family of Rolf the Ganger. William, descended from Rolf in the fifth generation (Table, p. 31), had succeeded to the dukedom under the double disadvantage of youth and illegitimacy. He had had to face opposition both from his feudal lord, the French King, and from his feudal vassals, the Norman Baronage; and his successful struggle had given him that deep experience, quick insight, and strong will which shaped the destinies of England. The wide-reaching social effects of the Norman settlement on the English were throughout guided and controlled by the political ability of the Norman kings.

§ **94. Effects of the Conquest: (i) On the Civil Constitution.**—William's policy as an English King was to make the control of the Kingship over all England as effective as he made his dukeship effective over all Normandy. To gain this end, he acted in the *rôle* of elected national king, of feudal lord, or of conqueror,

as suited his purpose: he especially strove to check the revival, in any form, of the semi-independent local rulerships which had sprung up and choked the Old English Kingship in its latter days. Regarding himself as the rightful King of England from the day of Eadweard's death, he inferred that those Englishmen who had fought for Harold had forfeited their property, and that those Englishmen who had abstained from helping their rightful king to put down the perjured usurper were liable to a fine for neglect of duty. These legal assumptions—for the Normans had a genius for jurisprudence—practically placed all the land at the disposal of the Conqueror; and he naturally proceeded to deal with it in the "feudal" fashion to which he was accustomed (§ 73). Some of the land was restored, wholly or in part, to the former owners, but on condition of doing "service": most of it was "granted" to the men who had helped William to obtain the kingdom. For the Norman expedition, though dynastic and religious in outward show (§ 86), was really a commercial speculation: the adventurers from various countries who gathered round Duke William were his partners and expected their share of the profits. In distributing the confiscated property William took pains to avoid granting great blocks of land to any one individual lest the large landowners should attain a position of independence on their own domains. Other means of checking the growth of territorialism were the careful maintenance of the laws, the *fyrd*, and the local assemblies of the conquered English, the retention of the castles in his own hands (§§ 114, 116), and the gradual transference of the governing powers of the earls to the sheriffs. Earldoms ceased to be offices and became little more than titles of honour. An exception was made in the case of the "palatine earldoms" of Durham, Chester, and Shrewsbury: there the earl needed to be invested with administrative powers in order to guard the frontiers.

§ **95. (ii) On the Ecclesiastical Constitution.**—The Norman Conquest introduced a greater measure of orderliness and system not only into civil but also into ecclesiastical affairs. For some time the Church on the Continent had been stirred by various impulses towards reform. This movement was first begun in the Benedictine Abbey of Clugny in Burgundy (Saône valley), and it was brought into the sphere of practical politics by Hildebrand, who, after being the chief adviser to three popes in succession, became Pope himself under the title of Gregory VII. (1073–1085): hence this movement is variously known as the Clugniac, and as the Hildebrandine,

Reformation. The main ideas of the Reformers were the necessity for a clear separation between the spiritual and the temporal, as regards both things and persons, and for the predominance of the spiritual over the temporal. Translated into practice, these ideas meant the celibacy of the clergy and the supremacy of the Pope. Closely connected with these ideas were the formulation of the doctrine of Transubstantiation, and the elaboration of the system of ecclesiastical rules known as Canon Law. William was a warm supporter of the Clugniac reforms—so long as they did not interfere with his determination to be absolute master of his own dominions. His friend, Lanfranc of Pavia, whom he appointed Archbishop of Canterbury (1070–1089) in the room of Stigand (§ 84), improved the working of the English Church by transferring the bishops' sees from small villages to large towns (*e.g.* from Dorchester, in Oxfordshire, to Lincoln), and by making the marriage of the clergy illegal in future. By Lanfranc's advice, William separated the ecclesiastical from the secular jurisdiction more sharply than in Old English times: the bishops were ordered not to sit, as heretofore, in the shire-moot, now called the county-court (*comitatus*), but to hear spiritual cases exclusively in their own courts, and they were further empowered to judge such cases by ecclesiastical law (§§ 120–122). But when Gregory VII., in 1076, demanded that William should repay the Papacy for its support of his attack on Harold by acknowledging that he held the kingdom as a fief of the Papacy, William declined, saying that he could find no precedent for such an acknowledgment (§ 140). Lanfranc agreed both in this refusal and in William's assertion of his right to a general control over the Church. William's three *Rules of the Royal Supremacy* (cf. ch. xxiv) laid it down that, without the King's assent—

(1) No Pope was to be acknowledged in England, and no Papal Letters were to be received in England;

(2) No Church synod was to be assembled, and none of its canons or laws were to be valid, in England;

(3) No Crown-vassal—*i.e.* no *tenant-in-capite*, or man holding land directly from the King—was to be excommunicated by the Church.

§ **96. Disturbances in England and Normandy, 1075–1084.**—William's methods of government were resented even more by his Norman barons than by the great mass of his English subjects. In 1075 two of these barons—Ralf Guader, Earl of Norfolk, and Roger, Earl of Hereford—made a plot, known as the "Bridal of Norwich," to get rid of "the Bastard" and divide England between

them. With the help of the native English, William put down the rising of the Earls: one escaped, the other was imprisoned, but Waltheof, the popular son of Siward the Stout, who had declined to take shares in the enterprise, was put to death in May 1076. Two years later, William's eldest son, Robert Curthose, annoyed because his father would not give him territory during his own lifetime, made a rebellion in Normandy with the help of some of the discontented barons there. In 1079 he wounded his father at the siege of Gerberoi and sought his forgiveness. In 1082 William had to imprison his half-brother Odo, Earl of Kent, for conspiracy. These tumults encouraged the belief that William could be dispossessed if only his enemies made a great effort; and in 1084 the Kings of Norway and Denmark arranged a joint expedition to expel William. The expedition fell through, but the expense of the preparations for defence forced William to revive the Danegeld (§ 77)—at thrice its former rate of two shillings per hide.*

§ 97. **Domesday Book and the Salisbury Gemot, 1085–1086.**—This necessity of raising a special tax to meet special emergencies seems to have suggested to William the expediency of making an accurate survey of the country as a basis of assessment. Royal Commissioners were sent all over England—except the district which now forms the four northern counties—to learn the extent of each estate, the name of its owner, the number of its inhabitants, and the amount of live and dead stock. The results of their investigations were embodied in *Domesday Book*—a book from whose records, as from those of the Last Judgment, there could be no appeal. These results—which give a minute account of the state of society at the time—are scarcely more important than the methods by which they were obtained. That method was technically known as "recognition by sworn inquest": that is to say, the Royal Commissioners obtained the information required from the parish priest, the reeve, and the four best men of each township, put on oath. A similar method had been used in 1070 to discover the English laws. Those who knew, or rather a *representative* selection from those who knew, were required to place their knowledge at the service of the State: this expedient, as we shall see (§§ 129, 141, 148), was the practical origin of the later English institutions, Trial by Jury, and the House of Commons. William turned the financial

* The *hide* was a land measure based not on scientific principles but on the practical difficulties of ploughing: it represented what one ox could plough in one season—and so varied with the nature of the land. It was ultimately fixed at its average amount—120 acres.

information thus obtained to other purposes: in 1086 he held a great meeting at Sarum (*Salisbury*), and there compelled all landholders, "*whosoever men they were*," to swear allegiance to him. This oath meant that William was resolved that *allegiance* to the *King* should be a higher duty than *fealty* to the immediate *lord*: in modern phrase, the duties of a *citizen* were to outweigh those of a *tenant*. William thus clearly asserted the principle of national unity: it was left to his successors to contrive the administrative machinery required for making that principle uniform and effective (§§ 101, 108, 127–129).

§ 98. William's Death, 1087.—In the year following the Gemot at Salisbury, William died in Normandy, while making war against the French King. A modern school-boy once described his headmaster as "a beast, but a just beast." That criticism aptly expresses the feelings of the average contemporary Englishmen about William; they did not like or appreciate the value of his discipline, but they recognized that he was fair according to his lights. Anyhow, it was better to be thrashed by him than by a number of irresponsible underlings. The English usually rallied round the Norman kings against the Norman barons; and William himself was warmly eulogized by one who would naturally be expected to regard him as an enemy—the contemporary writer of the *English Chronicle*:—

"This King William was a very wise and a great man, and more honoured and more powerful than any of his predecessors. He was mild to those good men who loved God, but severe beyond measure towards those who withstood his will. . . . King William was also held in much reverence: he wore his crown three times every year when he was in England: at Easter he wore it at Winchester, at Pentecost at Westminster, and at Christmas at Gloucester. And at these times all the men of England were with him, archbishops, bishops, abbots, and earls, thegns and knights. So, also, was he a very stern and a wrathful man, so that none durst do anything against his will, and he kept in prison those earls who acted against his pleasure. . . . Amongst other things the good order that William established is not to be forgotten: it was such that any man, who was himself aught, might travel over the kingdom with a bosom-full of gold unmolested; and no man durst kill another, however great the injury he might have received from him."

CHAPTER IX.

THREE NORMAN KINGS, 1087–1154.

A. Personal History.—The relationships of these three kings are shown in the Tables, pp. 31, 42.

(*a*) William II., Rufus: third son of William I. and Matilda; born, 1056; crowned King, September 26, 1087; died childless, August 2, 1100; buried at Winchester.

(*b*) Henry I., Beauclerc: fourth son of William I. and Matilda; born at Selby, Yorkshire, 1068; crowned King, August 5, 1100; died near Rouen, without male heirs, December 1, 1135; buried in Reading Abbey.

(*c*) Stephen, Count of Blois: third son of Stephen, Count of Blois, and Adela, daughter of William I.; born at Blois, 1105; crowned King, December 26, 1135; died at Dover, October 25, 1154; buried in Faversham Abbey, Kent.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Alexis I. (1081)	Henry IV. (1056)	Victor III. (1086) Urban II. (1087)	Philip I. (1060)	Malcolm III. (1057) Donald Bane (1093)
House of **Comnenus** (1081-1185)	Henry V. (1106)	Paschal II. (1099) Gelasius II. (1118) Calixtus II. (1119)	Louis IV. (1108)	Edgar (1097) Alexander I. (1106)
Joannes II. (1118)	Lothar II. (1125)	Honorius II. (1124) Innocent II. (1130)		David I. (1124)
Manuel I. (1143)	Conrad III. (1138) Frederick I. (1152)	Celestine II. (1143) Lucius II. (1144) Eugenius III. (1145) Anastasius IV. (1153)	Louis VII. (1137)	Malcolm IV. (1153)

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) The Crusades: §§ 103, 104.
- (2) Scotland: §§ 100, 106, 111.
- (3) France: § 109.
- (4) The Empire: §§ 109, 110.
- (5) Anjou: §§ 109, 110, 113.
- (6) Norway: § 104.

(ii) **Constitutional.**
- (1) The Church: §§ 101, 102, 105, 107, 112, 114.
- (2) Feudalism: §§ 101, 105, 114.
- (3) Curia Regis: §§ 108, 112.
- (4) Royal Succession: §§ 99, 105, 110, 111, 112.
- (5) Native English: §§ 99,105, 106,
- (6) Wales: § 100. [110.

I. William Rufus, 1087–1100.

§ 99. **William and Robert, 1087-1089.**—William the Conqueror on his death-bed gave Normandy to his eldest son Robert, England to his second son William, and to the third son, Henry, a

sum of money with which he bought the Norman peninsula of Cotentin from his brother. William Rufus hastened over to England, and was crowned at once by Lanfranc. In 1088 a number of the Barons, headed by Odo of Bayeux and Roger of Shrewsbury, rose in rebellion, hoping to substitute the easy-going Robert for the strong-handed Rufus. But William, supported by Lanfranc, appealed to the native English, and with their aid drove away Robert and put down the rising. Lanfranc died in the following year; and, directly his good influence was removed, William broke the promises of just government by which he had rallied the English to his side. In the words of the *Chronicle*: "he feared God but a little, and man not at all." He was coarse and brutal, but able and energetic; and on the whole it was better for England to be under the rule of a man who would allow nobody but himself to rob, than under a man like Robert, himself orderly, who put no restraint on the disorderliness of his Barons.

§ **100. Wales and Scotland, 1090–1093.**—William devoted much of his ability as a soldier to securing the English Borders. He subdued South Wales, but finding that he could make no impression on the hillier North, he gave permission in 1090 to any of his subjects to take what they could of North Wales (cf. § 85); from this permission there sprang into existence the Lords-Marchers, who played so prominent a part in Anglo-Welsh history during the next four centuries (§§ 163, 185). In 1092 he conquered the middle portion of the old kingdom of Strathclyde, formed it into the shire of Cumberland, and rebuilt Carlisle to defend his new possession from the Scots (cf. § 63). Malcolm Canmore retaliated next year by ravaging Northumberland, but was killed at Alnwick. His death brought about fierce quarrels between the Keltic and the English parties in his kingdom: William, so far as his wars in Normandy allowed, supported the English party headed by the sons of the "Saxon" Margaret (§ 92).

§ **101. Ralf Flambard's Fiscal Devices.**—On the death of Lanfranc, Rufus took as his chief minister a clerk (i.e. *clericus, clergyman*, or man in holy orders), whom his Norman countrymen called Ranulf Flambard, and whom the English called Ralf the Torch. For nearly five hundred years after the Norman Conquest the English kings drew the majority of their officials from the ranks of the clergy. This practice was at once safe and cheap: these clerks—often intelligent persons of humble birth, who could not escape from manual to brain work, except by taking orders in the Church—were

more dependent on the King, to whom they owed their position, than members of the baronial class would be; they could be paid for their services by the gift of ecclesiastical benefices. These ministers naturally took their tone from their master: William I. wanted efficiency; William II. wanted money. Ralf dutifully set himself to obtain money, and he did so by pressing the feudal conception of land-tenure to its logical issues. The King was the sole landowner in the kingdom: those who held land held it on condition of doing service (§ 73). If a man died he could not do the service: therefore, let the man—whether the son of the deceased or not—who took up the service, make a payment for the privilege. This fine was called a *relief:* in the case of tenants-in-capite—such of the King's immediate tenants as paid their rent by fighting, or, in technical language, held "by knight-service," or "in chivalry"—there was imposed an additional fine known as *primer seisin.* If a man died, leaving as his heir either a minor or a girl, incapable of military service, the King claimed the right of *wardship:* that is, he took the land into his own hands until the boy grew up to manhood, or the girl was married to a man who could earn the land by his service. Ralf Flambard also asserted the King's right to control the marriage of the widows or heirs minors of his tenants, and turned this claim to the pecuniary profit of the King. Ralf, if he did not invent this system, applied it systematically and extended it to church-lands. They were treated as lands held of the King in return for spiritual service, in technical language, "by francalmoign." When the holder of a church-benefice died (cf. § 73), the King claimed a right, analogous to *wardship* in lay benefices or fiefs, of enjoying the revenues during the vacancy, and of exacting a fine, analogous to a *relief*, from the person appointed. Now the purchase, direct or indirect, of the cure of souls was one of the abuses ear-marked for reform by the Clugniacs: they likened it to the sin of Simon Magus (*Acts of Apostles,* viii. 20) and branded it *simony.*

§ **102. Anselm of Aosta and the Council of Rockingham, 1095.**—It was not till four years after Lanfranc's death that the King, thinking himself in point to die, forced Anselm of Aosta to accept the archbishopric of Canterbury. Like Lanfranc, Anselm was an Italian who had been head of the abbey of Bec in Normandy before his promotion to the English primacy; but in him the ecclesiastic predominated over the politician to a far greater extent than in his predecessor. Anselm, himself a meek and saintly man, stood up for righteousness without respect of persons; offended the

King and his courtiers by rebuking their vices; withstood the extortions practised on clergy and laity alike; and finally quarrelled with the King on one of the points specifically laid down in the Conqueror's regulations concerning the Royal Supremacy (§ 95). There was a dispute as to which of two rivals was the rightful Pope; and the King was unwilling to acknowledge Urban II., the claimant recognized by Anselm. In 1095 a compromise was patched up in a council held at Rockingham; but shortly afterwards Anselm withdrew from the country, and Rufus seized the lands of his bishopric.

§ 103. **Council of Clermont and the First Crusade, 1095.**—In the same year as the English Council of Rockingham there was held a more important church-council at Clermont in Auvergne. At that council Pope Urban II. proclaimed a crusade—*i. e.* a holy war on behalf of the Cross (Latin, *crucem*)—against the Muhammadan occupiers of the pilgrim resorts in the Holy Land. The Arabs or Saracens, the early champions of Muhammad's teaching (§ 34), had recently been conquered by hordes of Seljuk Turks from Central Asia; and these Seljuks, though quite as civilized as the peoples of Western Europe, were less civilized and more intolerant than the Saracens. They consequently treated Christian pilgrims visiting Jerusalem, Bethlehem, and other holy places in Palestine, with greater harshness than the Saracens in recent years had done. In urging that an attempt should be made to wrest Palestine from the Moslems, Urban II. was partly influenced by a desire to extend the Pope's sphere of influence: the Papacy, having obtained at any rate a nominal submission from all the Western Church, naturally embarked on a foreign policy —to reduce the followers of Muhammad and the members of the "schismatic" Greek Church to its obedience. The Crusade of 1095–9 was the first of a series of enterprises which, in the course of four centuries, gradually passed from religious into commercial and colonizing movements (§§ 132, 159, 265). The First Crusade, in which the Eastern Roman Emperor joined hands with the Westerns, resulted in the capture of Jerusalem (§ 132), and the establishment of several Frank * principalities in Syria.

§ 104. **Relations of Robert and William, 1095–1100.**—Among those who took part in the First Crusade was Robert Duke of Normandy. The two brothers had quarrelled almost incessantly since their father's death; but Robert now obtained funds for his expedition by leasing his duchy to William for 10,000 marks

* The first Crusaders were largely Frank: hence their Moslem enemies called them generally "Franks," and to this day call Europe Frangistán.

(£6,666). William thus ruled more territory than his father, and was thinking of adding Ireland to his possessions, when in August 1100, he was shot with an arrow—whether accidentally or not is unknown —while hunting in the New Forest. Two years previously the last notable Northman descent on South Britain took place, when the Norwegian King, Magnus Bareleg, accompanied by one of the sons of King Harold Godwinson, defeated some Norman barons who were conquering the Welsh island of Anglesey (§§ 44, 100).

II. Henry Beauclerc, 1100–1135.

§ 105. Henry I.'s Charter of Liberties, 1100.—The Conqueror's youngest son, Henry, at once seized the royal treasury at Winchester, and three days after his brother's death was crowned King at Westminster. He tried to win the good-will of all parties by arresting Ralf Flambard, by inviting Anselm to return to England, and by issuing a Charter pledging himself to keep certain promises which he had verbally made at his coronation:—

(1) That the Church should be free, especially from the extortions made during the reign of Rufus: in particular, that ecclesiastical lands should not be sold or farmed out, and that the higher ecclesiastical benefices should not be kept vacant [§ 101].
(2) That Feudal Incidents—Relief, Wardship, etc.—whether exacted by the King or by any other feudal lord, should be "just and legitimate."
(3) That the laws of Eadweard Confessor, as amended by William I., should be maintained.

§ 106. The Opposition to Henry, 1100–1106.—These three promises appealed respectively to the Clergy, the Barons, and the native English. But Henry showed that he felt the last-named to be his safest friends, by marrying Eadgyth or Matilda, the daughter of the Scottish Queen Margaret, and niece of Eadgar Ætheling (§ 92). The Barons sneered at his choice, but it soon justified itself by the results. For it was by the aid of English levies that Henry defeated his brother's attempt to gain the English crown in 1101, suppressed a baronial rising under Robert de Bellesme in 1102, and obtained the person and duchy of his brother at the battle of Tinchebrai in South Normandy in 1106. Eadgar Ætheling was captured at Tinchebrai, and during the rest of his long life—he lived to the age of one hundred—he took no prominent part in public affairs.

§ 107. Anselm and the Compromise of Bec, 1107.—Anselm loyally supported Henry in warring down his opponents, but at the same time he was engaged in a long dispute with the King. During

his exile he had come to believe that the Church must be far more independent than was permitted by the Conqueror's conception of the Royal Supremacy (§ 95). In particular, he maintained that bishops and abbots ought to be freely chosen by the chapter or community of the see or abbey that was vacant, and that they ought not to receive from lay hands the ring and the staff (or crozier), which were the symbols of their ecclesiastical authority. Henry, like the Emperor and other kings of his time, maintained that he must have some control over persons who were not only church-officers, but also large landowners, and had great political authority. Ultimately, in 1107, the dispute was settled, as far as England was concerned, by the *Compromise of Bec*, which provided:—

(1) That the Chapters should elect the Bishop or Abbot, but should make their choice "in the King's Court"—*i. e.* in the presence of the King or his representatives.

(2) That the Bishop or Abbot should not be invested with the ring and pastoral staff (or "spiritualities" of the office) by the King, but should (*a*) before consecration, do *homage* to the King for the lands (or "temporalities") belonging to the see or abbey, and (*b*) after consecration, swear *fealty* to the King.

§ **108. Roger of Salisbury and the Curia Regis.**—In the year that the Investiture question was thus settled, Henry made Roger the Poor, Bishop of Salisbury, his chief minister. The main object of government was not then regarded as making fresh laws but the enforcement of existing laws (cf. § 50). It was natural, therefore, that the King's chief minister should take the title of *Justiciar*. Roger, the first to bear the title, was the principal organizer of the Norman system of government. In particular, he tried to manage the financial side of the government in such a way that the King's income should be as large as in Ralf Flambard's days, without the same amount of oppression. The body of trained officials, which had been growing up during the last two reigns, was placed under the control of the Barons of the Exchequer, who took their name from the chequered cover of the account-table in their place of business. There Roger and his subordinates received the moneys collected by the sheriffs and their officers, and paid them out as required for the expenses of the King's household and government. One of the chief sources of revenue was the fees paid by those who asked the King's officers, or justices, to settle their disputes; and in order to increase these fees Henry and Roger occasionally sent round the country the trained officials to settle disputes. The Barons had rights of jurisdiction on

their estates (§ 75); and it both increased the King's authority and swelled his income if he could provide a cheaper, better, and more uniform article in the way of justice than the Barons could offer. The occasional journeys of these "itinerant justices"—whence arose the still-existing circuits by judges of assize—were thus partly financial, partly judicial: their general tendency was to bring the reality of the King's authority home to every one all over the land, and so prevent the allegiance of all landowners to the King (cf. §§ 97, 101) from becoming of less practical importance than the fealty due to the nearest great baron. Under Henry this system was so fairly worked, that he was called "the Lion of Justice."

§ 109. Henry I.'s Foreign Wars and Alliances, 1114–1128.—Henry's power was exemplified by the excellent marriages arranged for his children: he married his daughters to the Roman Emperor, Henry V. (1114), and to the Count of Brittany, and his son William to the daughter of Fulk, Count of Anjou, the hereditary enemy of the Norman House. But his power raised enemies as well as friends; and in 1117 the French King and the Barons of Normandy took up the cause of Robert's son, William Clito. In 1119 Henry defeated the coalition at Brenville or Brêmule, near Rouen, and forced William to abandon his attempts on Normandy for a more promising attempt to acquire Flanders. In 1128 he was killed in besieging Alost.

§ 110. Henry, and the Succession, 1120–1135.—Henry I. had thus got rid of all his enemies and rivals; but the latter years of his reign were troubled by the thought of what was to become of his dominions after his death. His only legitimate son William—whom the English fondly called the Ætheling, but who himself detested the English—was drowned on the way back from Brenville in 1120. In the following year, his father took a second wife, Adela of Louvain; but she bore him no children. Henry then set himself to secure the succession of his daughter Matilda, who, after the death of her first husband, the Emperor, was married to Geoffrey, son of the Count of Anjou (1128). During the years 1126–1133 Henry thrice caused his Barons to swear fealty to Matilda. In 1135 Henry I. died in Normandy, and his deposed brother Robert died in prison.

III. Stephen of Blois, 1135–1154.

§ 111. Stephen and the Scots, 1135–1139.—Henry's pains to secure the succession of his daughter proved unavailing. The times were not yet ripe for a woman's rule; and Matilda's Angevin husband was distasteful to the Norman Barons. Hence Stephen, Count

of Blois, a younger son of the Conqueror's daughter Adela (Table, p. 42), was easily able to seize the throne, with the assent both of the Londoners and of the Barons. Stephen, like his two predecessors and many other English kings, has been called "a usurper" by persons who antedate the general acceptance of the principle of hereditary succession. The English crown was still elective rather than hereditary; and Stephen was chosen king by the constitutional authorities which had the right to fill the vacant throne. But the cause of the "Empress Maud"—as she was called to distinguish her from Stephen's wife, Maud—was taken up by her uncle, David I., King of Scots. In 1137 Stephen drove back a Scottish invasion; in the following year David came again, and was defeated by the men of Yorkshire, summoned to arms by Thurstan, Archbishop of York, at the "battle of the Standard," near Northallerton; and in 1139 Stephen deemed it prudent to buy off the Scottish King by ceding Cumberland to him and granting Northumberland as a fief to his son Henry, Earl of Huntingdon (§ 116).

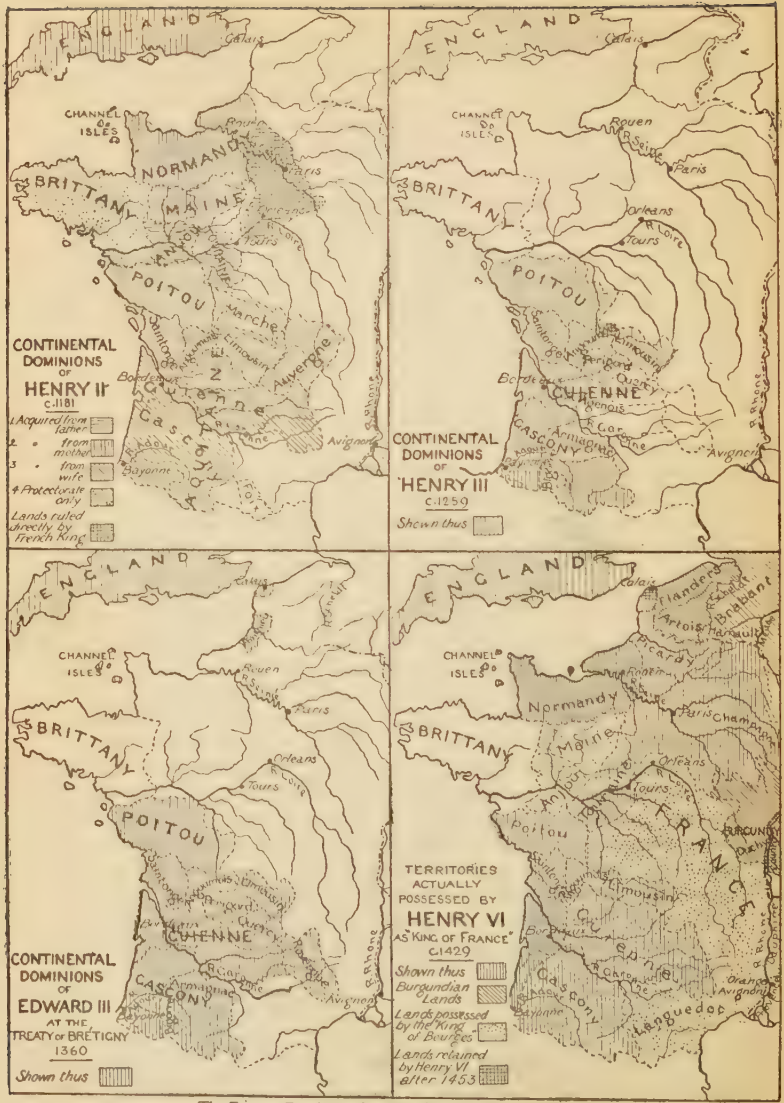
§ **112. The Civil War between Stephen and Matilda, 1139–1148.**—Stephen had no sooner secured himself in possession of the throne than he proceeded to throw away his advantages. In 1139 he attacked the powerful family connections of Roger of Salisbury—including his son, the Chancellor, and his nephews, Nigel, Bishop of Ely, and Alexander, Bishop of Lincoln (§ 108); and his method of attacking these ecclesiastics estranged the Clergy as a class. Even his own brother, Henry, Bishop of Winchester, turned against him and gave his support to the Empress Maud and her half-brother, Robert, Earl of Gloucester. The country was plunged into disorder during the rest of the reign. In 1141 Stephen was captured at Lincoln, and the greater part of England acknowledged his rival as Queen, or rather as "Lady of the English." But the Empress Maud offended the Londoners, and her namesake kept alive the cause of her husband. Before the end of 1141 her adherents captured Earl Robert and exchanged him for Stephen. Seven years later Robert died, and Maud withdrew from England.

§ **113. The Treaty of Wallingford, 1153.**—Meanwhile Maud's son by her second marriage had been growing old enough to fight his own cause. During the years 1149–1152, Henry successively acquired extensive territories in Gaul, which made him far more powerful than his nominal suzerain the French King, or indeed than any prince in Western Christendom (§ 115). When, therefore, he came over to conquer England in 1153, Stephen accepted the peace-

proposals put forth by his brother Henry and Archbishop Theobald. By the *Treaty of Wallingford*, November 1153, Stephen associated his rival with himself in the government of England, with the title of Justiciar, agreed to various measures of reform, adopted Henry as his son, and acknowledged his right of succession. In the following October Stephen died.

§ 114. **The Anarchy of Stephen's Reign.**—Stephen, like his uncle Robert, was a good-hearted and generous man, but unlike his less amiable predecessor, he did not keep a firm hand on the government. The Barons took advantage of his easy-going disposition, and of the civil war, to make themselves petty despots on their own estates. "Every one did right in his own eyes;" and the result is thus depicted in the last pages of the *English Chronicle*:—

"When the traitors perceived that Stephen was a mild man, and soft and good, and did no justice, then did they all wonder. They had done homage to him and sworn oaths, but they held no faith; for every powerful man made his castles and held them against him, and they filled the land full of castles. They cruelly oppressed the wretched men of the land with castle works. When the castles were made, they filled them with devils and evil men. Then they took those men that they thought had any property, both by night and by day, peasant men and women, and put them in prison for their gold and silver, and tortured them with unutterable torture; for never were martyrs so tortured as they were. They hanged them up by the feet and smoked them with foul smoke; they hanged them up by thumbs or by the head, and hung chains on their feet; they put knotted strings about their heads, and writhed them so that it went to the brain. They put them in dungeons, in which were adders, and snakes, and toads, and killed them so. Some they put in a chest that was short and narrow and shallow, and put sharp stones therein, and pressed the man therein, so that they brake all his limbs. . . . They laid imposts on the towns continually; and when the wretched men had no more to give, they robbed and burned all the towns, so that thou mightest well go all a day's journey, and thou shouldest never find a man sitting in a town, or the land tilled. Then was corn dear, and flesh and cheese and butter; for there was none in the land. Wretched men died of hunger; some went seeking alms who at one time were rich men; some fled out of the land. Never yet had more wretchedness been in the land, nor did heathen men ever do worse than they did. . . . If two or three men came riding to a town, all the township fled before them, imagining them to be robbers. The bishops and clergy constantly cursed them; but nothing came of it, for they were all accursed, and forsworn, and lost. However a man tilled, the earth bare no corn; for the land was all foredone by such deeds, and they said openly that Christ and His Saints slept."



The Eastern Frontier of the French Kingdom shown thus

CHAPTER X.

HENRY II., 1154–1189.

A. Personal History.—Born at Le Mans in Maine, March 5, 1133; son of Henry I.'s daughter Matilda or Maud by her second husband, Geoffrey, Count of Anjou; succeeded his father in 1151; married the heiress Eleanor of Acquitaine (*d.* 1204), 1152; crowned King of the English, December 19, 1154; died at Chinon in Normandy, July 6, 1198; buried at Fontevraud in Anjou. His descent from the Old English kings is shown in Table, p. 31: his descendants are shown in Table, p. 42.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Manuel I. (1143)	Frederick I. *Barbarossa.* (1152–1190)	Hadrian IV. (1154)	Louis VII. (1137)	Malcolm IV. (1153)
Alexis II. (1181)		Alexander III. (1159)		William I. *the Lion.* (1165–1214)
Andronicus I. (1183)		Lucius III. (1181)	Philip II. *Augustus.* (1180–1223)	
Isaac II. *Angelus* (1185)		Urban III. (1185)		
		Gregory VIII. (1187)		
		Clement III. (1187)		

C. Topics of the Reign.

(i) **International**: *relations with*—
- (1) France: §§ 115, 117, 122, 126, 130.
- (2) Papacy: §§ 122, 125, 126.
- (3) Empire: § 122.
- (4) Scotland: §§ 116, 126.

(ii) **Constitutional.**
- (1) The Church: §§ 118–122, 125.
- (2) Feudalism: §§ 116–119, 124, 126.
- (3) Curia Regis: §§ 119, 127–129.
- (4) Wales: § 116.
- (5) Ireland: §§ 123–125.

I. The Restoration of Order, 1154–1162.

§ **115. Henry II. and the Angevin Empire.**—Stephen's successor, Henry II., is notable, among other things, for his personality, his ancestry, and the extent of his possessions. His personality—wide of outlook, careless of convention, methodical, unscrupulous, untiring in action—will be illustrated in the record of his doings. His ancestry endowed him with the blood of three great ruling families: on his father's side, he was descended from the Breton peasant who won the county of Anjou as a reward for resisting the Northman inroads of the ninth century; on his mother's side, he was descended both from the Norman dukes and from the Old English kings (Tables, pp. 31, 42). Before he became King of the

English he had acquired, by descent or by marriage, three distinct groups of territories in Gaul (Map, p. 72), which were throughout the reign much more important than the kingdom of England :—

(1) *Through his Mother:* Normandy and Maine, which Maud claimed as the heiress of William the Conqueror, which her husband Geoffrey of Anjou had occupied, and which were in 1151 formally conferred on young Henry by their feudal owner, Louis VII., King of France.

(2) *Through his Father:* Anjou and Touraine, inherited on his father's death in 1151.

(3) *Through his Wife,* Eleanor of Acquitaine, whom he married in 1152 directly after she had been divorced by Louis VII. : the various territories collectively known as Acquitaine, *viz.* Poitou, Limousin, Marche, Saintonge, Angoumois, Guienne, Gascony.

§ **116. The Repression of the Anarchy, 1154–1157.**—Henry began his reign as King of the English when, two months after Stephen's death, he was crowned at Westminster. He at once set himself to carry out the provisions of the *Treaty of Wallingford* (§ 113) for restoring order in England on the lines laid down by his grandfather, Henry the Scholar (§§ 107, 108). He resumed possession of the Crown lands which Stephen had lavishly bestowed on men who promised their support of his claims ; he destroyed hundreds of the strongholds which the robber Barons had built to defend their power and their misdeeds, and which, being built without royal permission, were known as "adulterine castles" (§ 114) ; he forced the Barons to abandon the mints whence they had issued private coins for use in their domains ; and finally, in 1157, he marched through Wales and also compelled the Scots King to evacuate the northern counties (§ 111) and to do homage for his English earldom of Huntingdon. In order to put down the opposition to these measures, he employed not only the native English *fyrd* or militia (§ 129), who had a duty as citizens to fight for their king, but also foreign mercenaries who served not for duty but for pay, and who thus came to be called *soldiers* (Latin, *solidi* = shillings). As soon as he had restored order in England, he took his mercenaries over-sea and used them to assert his wife's claims to the overlordship of the great county or earldom of Toulouse.

§ **117. The Toulouse War and the Imposition of Scutage, 1158–1162.**—It was during the War of Toulouse that Henry, in 1159, brought into general use an important financial expedient which he had applied three years previously to the holders of ecclesiastical lands in England. His tenants in chivalry owed him

military service, but this was limited by custom to forty days per annum. Such short service was no good for distant warfare: it inconvenienced the Barons without greatly benefiting the King. Henry therefore commuted the military services for a money payment, known as *scutage* or shield-money (Latin, *scutum*, "shield"), with the proceeds of which he hired mercenaries. Thus the King both weakened the Baronage as a fighting force, and also obtained the means of equipping an army composed of more manageable troops than the self-willed Barons. The commutation of military service for money payment tended to destroy feudalism in the higher ranges of tenure, just as the later commutation of villan services for money rents tended to destroy feudalism in the lower ranks of society (§ 214).

§ **118. Knighthood and the Ideal of Chivalry.**—Scutage was usually, though not invariably, fixed at 20*s.* on each knight's fee or fief, which practically represented a tax of five per cent., or "one shilling in the pound," on the annual value of the area of land technically known as a knight's fee. The knight's fee was that amount of land—fixed in Henry II.'s time as land having a yearly value of £20—which enabled its holder to maintain the dignity of knighthood. We shall come across the term knight so often in the course of our story, that it is just as well to have a clear notion as to its original meaning. The *knight* of Norman times was the Old English *thegn*—with a difference: the equivalent of each term in the universal language of the day was *miles*, a fighting-man; but the term knight involves the additional idea of attempting to christianize the occupation of fighting—then regarded as the only proper business of "a gentleman." Knighthood or chivalry was one of the products of the Clugniac movement (§ 95). The person who wished to be a knight—to devote his physical strength to God "in the world"—like the person who wished to devote his moral ardour to God in the cloister, went through a long training or novitiate; and he was afterwards admitted to the status of knighthood, on taking vows to keep faith, to speak truth, to be courageous, and to protect the helpless and oppressed. "Truth and honour, freedom and courtesey," in Chaucer's phrase, were the virtues of the knight. Naturally this ideal of knighthood became smirched in practice: one cause of its deterioration was its necessary connection with the idea of property.

§ **119. Henry II.'s Chief Ministers, 1154–1162.**—Henry's chief advisers in the work of restoring order, and in the conduct of the English government during his five years' absence on the Continent (1158–1162), were two laymen and two ecclesiastics. The laymen

were the two Justiciars, Robert de Beaumont, Earl of Leicester (1154–1167) and Richard de Lucy (1154–1179), whose main business was the restoration of what Henry commonly called "avitae consuetudines"—the governmental practices adopted in his grandfather's reign (§ 108). The ecclesiastics were Theobald, Archbishop of Canterbury, and Thomas of London, who occupied the increasingly important post of Chancellor, the keeper of the King's seal and the manager of his secretaries. Thomas was the son of Gilbert Becket, a merchant of London who rose to be its port-reeve, a position corresponding to that of the Lord Mayor of later days. While in Theobald's service, Thomas had done much to smooth the way for Henry's peaceful accession. Henry rewarded him with the Chancellorship, and in 1162, on the death of Theobald, secured his election as Archbishop of Canterbury. Henry expected Thomas to help him in the work of curtailing the clerical privileges, which, like those of the Baronage, had grown apace during the anarchy of Stephen's reign.

II. The Struggle between Church and State, 1163-1170.

§ **120. The Quarrel between Henry and Thomas, 1163.**—Thomas was one of those whole-souled men who are what they are for the time being with all their might. As Archbishop he threw himself into the cause of the Clergy no less eagerly than, as King's minister, he had thrown himself into the cause of the State. He resigned the Seal, and put on an ascetic bearing which stood in pointed contrast to his splendour as Chancellor. In the year after his elevation to the Primacy he resisted the King's attempt to make the Danegeld perpetual (§ 97), and contravened the Conqueror's ecclesiastical law by excommunicating a baron without the King's leave. Then there arose a larger issue—the problem of the relations between the civil and the ecclesiastical courts. William I. had removed ecclesiastical *causes* from the jurisdiction of the temporal courts (§ 95): since his time the idea had sprung up that ecclesiastical *persons* also should be exempt from lay jurisdiction. Henry II. wished to make the judicial system uniform and efficient. With this end in view, he desired that his own courts should decide what cases fell, and what did not fall, within the purview of the courts spiritual, and especially that persons found guilty of crime should not escape secular punishment merely because they were in holy orders.

§ **121. The Constitutions of Clarendon, January 1164.**—The quarrel came to a head over the case of a man in orders who had committed a murder: the Archbishop maintained that it was

sufficient punishment for a "criminous clerk," if found guilty by a court spiritual, to be deprived of his orders by the same authority; the King maintained that such degradation should be followed by punishment in the lay court. Finally, Thomas and his suffragans agreed—"saving the rights of their order"—to accept Henry's proposal that the customs of the realm should be observed. He appointed commissioners to find out what were these customs: their report is known as the *Constitutions of Clarendon*:—

(1) The King's Court decides whether a criminous person is clerk or layman.
(2) No bishop or abbot may quit the realm without the King's consent.
(3) Appeals from the courts spiritual go to the King, and may not be carried out of the realm without the King's assent.
(4) No crown-vassal may be excommunicated without the King's leave.
(5) Bishops and Abbots owe the King the same duties as lay barons.
(6) Elections of bishops and abbots take place in the King's chapel.
(7) Sons of villans may not be ordained without their lord's consent.

§ **122. Course of the Quarrel, 1164–1170.**—Thomas at first accepted the customs thus enumerated as binding; but overcome by his scruples he withdrew his consent in a Council held at Northampton, and, being threatened with violence, he fled the country. For the next six years he was an exile in France, and was used as a tool by all Henry's enemies. Pope Alexander III. gave him as much support as was allowed by the exigencies of his long struggle with the Emperor, Frederick Barbarossa. Finally in 1170 a reconciliation was patched up, and Thomas returned to England. Soon after landing he excommunicated several of the King's adherents, and especially the Archbishop of York, who had infringed the privileges of the See of Canterbury by performing the coronation of Henry II.'s son Henry (§§ 126, 130). On hearing of this the King expressed an angry wish that some one would relieve him of "this turbulent priest." Four knights at his Court took him at his word, crossed to England, and on December 29, 1170, murdered the Archbishop in Canterbury Cathedral. The murder horrified the conscience of Western Christendom; and Henry deemed it prudent to withdraw to Ireland till the storm had blown over.

III. The Struggle between Kingship and Feudalism, 1170–1189.

§ **123. Outlines of Irish History, to 1169.**—The history of Ireland down to the eleventh century of the Christian Era has been described as "piles of tinted cloud which cannot be condensed into solid fact." In the national legends truth cannot be winnowed from

the imaginative detail; and the buildings have left no story that can be decisively interpreted. But some facts at least may be regarded as established. In early times Ireland was occupied by at least two waves of settlers—Iberians and Gaels (cf. §§ 18, 19); it was neither conquered by the generals of Rome nor christianized by the later missionaries of Rome; it received its Christianity from the Briton Church, and later sent out missionaries to Caledonia and to the mainland of Europe (§§ 30, 43); it attained a fairly high standard of civilization, which was destroyed by the inroads of the Norwegians, here called Ostmen; but it never attained any such measure of political unity as South Britain attained under the kings of the House of Cerdic, or as North Britain attained under the kings of the Scottish emigrants from Ireland. Brian Boru, who defeated the Ostmen in the great battle of Clontarf (1014), died in the moment of victory, and during the next hundred and fifty years, though there was usually one head-king, his authority was purely nominal.

§ **124. The Norman "Conquest of Ireland."**—In 1166, when Roderick O'Conor, King of Connaught, was head-king, Dermot McMurrough was expelled from his kingdom of Leinster, and crossed to England seeking forces to recover his throne. By Henry's leave he enlisted the services of some of the Norman barons who had been winning lands for themselves in South Wales (§ 100). In May 1169 Dermot landed near Wexford with Fitz-Gerald and Fitz-Stephen; Richard Strongbow de Clare, Earl of Pembroke, followed; and though the Normans were few in number, their superiority in arms and armour enabled them to obtain a firm footing in the south-eastern angle of the island. Roderick failed to dislodge the new-comers from Dublin: the men who had come to serve remained to rule (cf. §§ 36, 532). Alarmed lest an independent Norman kingdom should be set up in Ireland, Henry ordered Strongbow to return to England and do homage for his new possessions in 1171; and in October 1172, he himself crossed to Ireland and received the homage both of the Norman adventurers and of the Irish chiefs. He could not stay in Ireland long enough to make the homage a reality by establishing an effective central government as in England (§ 97).

§ **125. The Synod of Cashel, 1172.**—While Henry was yet in Ireland he assembled a synod of the Irish clergy which adopted the customs of the Roman Church and acknowledged the authority of the Pope. He thus fulfilled the commission which had been given him in 1154 when Pope Hadrian IV.—*i. e.* Nicolas Breakspear, the only Englishman who has ever been Pope—authorized him to subdue

the island on condition that he corrected the abuses of its church (cf. § 95). Having thus a new daughter-church to present to the Papacy, Henry was able in 1172 to obtain absolution for the murder of Thomas from Pope Alexander III. Henry had to agree to the formal cancelling of the *Constitutions of Clarendon;* but as a matter of fact his judges recognized the practices there set down.

§ **126. The Great Feudal Revolt, 1173–4.**—Henry's involuntary complicity in the murder of Archbishop Thomas greatly shook his power and prestige. The reconciliation with the Papacy partly restored him to his former position, but he still seemed vulnerable enough to invite attack. In 1173 a combined onslaught was made upon him by his many enemies. His sons, Henry, Geoffrey, and Richard, instigated by their mother, joined hands with the discontented Baronage, with Philip, Count of Flanders, and with the Kings of France and Scotland. Henry himself defeated his opponents in Brittany and Poitou, while his Justiciar in England defeated the Barons in East Anglia. In 1174 the young King Henry—called in his own day "Henry III."—proposed to invade the eastern counties, while William the Lion of Scotland invaded the northern counties. Henry II. came over to England to face the danger, and on his way to London he did penance for the murder of Archbishop Thomas—who had been formally declared a saint and a martyr—at his shrine in Canterbury Cathedral. Immediately afterwards he was informed that his forces in the North had captured William the Lion at Alnwick on July 13. William's capture was soon followed by the submission of all Henry's rebel subjects, and the conclusion of peace with the independent enemies of the King. William himself was not released until he had permitted the English occupation of Edinburgh and other castles in the Lothians, and acknowledged the vassalage of his entire kingdom in the *Treaty of Falaise* (December 1174).

§ **127. The Development of the Curia Regis, 1066–1189.**—The rising of 1173–4—which was suppressed, so far as England was concerned, by the help of the native English and of the Northern Barons—was the last great feudal revolt in England. That is to say, the Barons, instead of striving to make their territories independent rulerships, grew content to take their part in the rule of the whole kingdom. One of the duties owed to a lord was the giving of counsel when asked; and Henry II. was more diligent in enforcing this duty than any of his predecessors. After the Norman Conquest the gathering of the great men of the realm, which the Old English

had called the Witenagemot, came to consist exclusively of crown-vassals, and to be called the King's Court (*Curia Regis*) or Great Council (*Magnum Concilium*). But in Henry II.'s time the term *Curia Regis* came to be applied more particularly to the permanent body of officials who were continually engaged in judicial work or in other kinds of *administration*, while the term *Magnum Concilium* was applied to those larger assemblies of the Barons which met on special occasions for purposes of *consultation*. Nearly all the legislative enactments of Henry II. were issued "by the advice and assent" of such Great Councils. As yet the King was the sole law-giver, and consulted the principal persons of the realm as a matter of convenience. But this practice of consultation prepared the way for the time when the principal persons of the realm, and others also, would claim a voice in the making of laws not for the King's convenience but for their own, when they would help in the legislation, and in the more important business of government, not as a duty but as a right (§§ 155–159).

§ 128. **Henry II.'s Administrative Reforms, 1176–1188.**—The laws, or "assizes," put forth by Henry II. with the advice of his Barons, were mainly designed to develop the administrative machinery set up by his grandfather. The elementary difficulty about money had been so far overcome that Henry I.'s Exchequer now became merely a branch of the *Curia Regis* in its administrative sense. All the complicated machinery of the central government in our own days has been developed out of this body by process of specialization. In Henry II.'s time Richard de Lucy and his successor in the office of Justiciar, Ranulf de Glanvil (1179–1189), directed their efforts to the amalgamation of the Old English machinery of local government with the Norman machinery of central government. The assemblies of the hundred and of the shire were kept in regular working order; the county-court was kept in close touch with the *Curia Regis* by the revival and increased frequency of the visits of the travelling justices; and the control of the sheriff, who was usually a local magnate, over the county-court was lessened in consequence of the *Inquest of Sheriffs*, 1170. As the officials of the King's Court could not possibly possess such local knowledge as the sheriffs possessed, recourse was increasingly had to the practice of recognition by sworn inquest (§ 97).

§ 129. **Varied Developments of the Jury System.**—Henry used the information supplied on oath by freemen of good character in any given locality in various ways. By the *Grand Assize* he

applied this method to finding out the facts in cases of land-disputes; by the *Assize of Clarendon*, 1166 (repeated, with amendments, ten years later in the *Assize of Northampton*), he ordered well-informed representatives of the shires to discover and present for trial those whom they suspected of crime in their hundred or township; and he also essayed to find out how much a man ought to pay in taxation by using the knowledge of his neighbours. The principal, but not the only, instances of the financial uses of recognition are found in the *Assize of Arms*, 1181, and the *Ordinance of the Saladin Tithe*, 1188. The object of the *Assize of Arms* was to make the Old English *fyrd* a thoroughly efficient force for maintaining order at home: it prescribed the amount of arms and armour which freemen must have and be able to use—according to the amount of their property; and the assessment of each man was fixed by the sworn evidence of the men of the neighbourhood. The *Saladin Tithe* (§ 132) was the first experiment in extending the principle of money taxation from land to personal property: each man was to estimate the value of his own property, but if he made false returns the neighbours were to show him up. All this inquisitiveness by government officials was annoying at first, but the next two or three generations found means to turn these troublesome practices to their own advantage (§§ 148–150). It was left for the future ages to appreciate the value of the changes expressed in Bishop Stubbs's formula: "the reign of Henry II. initiates the rule of law."

§ **130. Henry's Last Years and Death, 1176–1189.**— Besides conducting these administrative experiments—of which the above is only a meagre selection—in England, Henry was also engaged in similar work in his Continental domains. But he could not even attempt to bind together his varied possessions in France in any such administrative unity as he found practicable in England. He had to treat each province separately, and he tried to make his power effective by placing one of his sons over each group of Continental territories. But his sons quarrelled with one another and with their father; and these quarrels were carefully fomented by Philip Augustus, the astute King of France, who aimed—and in the end successfully (§§ 136–138)—at taking into his own hands the bulk of the Angevin Empire. Henry lost his sons Henry and Geoffrey, in 1183 and 1186 respectively; and in July 1189, after being defeated by his two surviving sons, Richard and John, Henry himself passed away muttering, "Shame, shame on a conquered King!"

CHAPTER XI.

THE SONS OF HENRY II., 1189–1216.

A. Personal History.—See Table, p. 42, for the family connections of—

(*a*) Richard I., *Cœur-de-Lion*: born at Woodstock, September 8, 1157; crowned King of the English, September 3, 1189; married Berengaria, daughter of Sanchez, King of Navarre (*d.* 1230), May 12, 1191; died, without issue, at Chaluz in Poitou, April 6, 1199; buried at Chaluz, Rouen, and Fontevraud.

(*b*) John, *Lackland*: born at Oxford, December 24, 1167; crowned King of England, September 27, 1199; married (*a*) Hadwisa of Gloucester (divorced, 1200), 1289, (*b*) Isabella of Angoulême (*d.* 1246), 1199, by whom he had issue; died at Newark, October 19, 1216; buried at Fontevraud and Worcester.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Isaac II. (1185)	Henry VI. (1190)	Clement III.	Philip II.	William I.
Alexis III.	*Rivalry between—*	(1187)	*Augustus*	*the Lion*
(1195)	Philip of Swabia	Celestine III.	(1180–1223)	(1165)
Alexis IV. (1203)	(1197)	(1191)		
Alexis V. (1204)	Otto IV. (1208)	Innocent III.		
(*Latin Empire at*		(1198–1216)		
Constantinople,	Frederick VI.			Alexander II.
1204–1261)	(1211–1250)			(1214–1249)

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) Crusades: §§ 132, 133.
- (2) France: §§ 131–134, 136–142, 145.
- (3) Scotland: §§ 132, 139.
- (4) Empire: §§ 133, 140, 142.
- (5) Papacy: §§ 139–141, 145.
- (6) Austria: § 133.
- (7) Flanders; §§ 141, 142.

(ii) **Constitutional.**
- (1) The Church: §§ 136, 139–145.
- (2) Justiciarship: §§ 133, 135, 141
- (3) Finance: §§ 133, 135, 143, 144.
- (4) Growth of English Nationality: §§ 131, 138, 145.
- (5) Representation: §§ 135, 143.
- (6) Royal Succession: §§ 131, 136.
- (7) Growth of Towns: §§ 133, 135.

I. Richard Lion-heart, 1189–1199.

§ **131. International and Constitutional Aspects of the Period, 1189–1216.**—Henry II. was succeeded by his two surviving sons, Richard and John, in the order of their birth. The quiet accession of Richard, without any formal acceptance by the English

magnates, illustrates the tendency of the English crown to become hereditary: the fact that John easily obtained the crown, though the son of an elder brother was alive and was put forward as a candidate (§ 136), illustrates the fact that the modern rules about hereditary succession were not yet accepted (§ 111). The main interest of these two short reigns is twofold: on the external side, they were marked by the break-up of the Angevin Empire, which Richard succeeded in averting, but which was accomplished in the reign of John; on the internal side, they were marked by notable developments of the governmental system established by Henry II. Richard, except for two brief visits in 1189 and 1194, was absent from England throughout his ten-years reign; but his absence hardly affected the smooth working of the government machine. John, on the other hand, spent most of his time in England, and by his wastefulness and interference threw the machine out of gear. Richard's absence enabled the trained ministers of the *Curia Regis* to learn how to carry on the government by themselves: John's misrule forced the ministers, with the support of all classes, to direct against the King that "rule of law" which Henry II. had elaborated as a royal defence against the Baronage (§§ 127–129).

§ **132. Richard I. and the Third Crusade, 1189–1192.**— Richard had for some years been the ruler of his mother's dowry-lands in Acquitaine (§ 115); and on his father's death he was invested with Normandy and received the English crown. Straightway he set about making preparations to take part in the impending crusade. The Latin feudal principalities set up in Syria during the First Crusade (§ 103) had grown weaker despite the reinforcements sent out in the crusade of Stephen's reign (1147–9). In 1187 Saladin, the great Seljuk Sultan, had captured Jerusalem; and preparations were at once set on foot in Western Europe to attempt its recovery. In 1188 Henry II. and his great rival, the French King, had each levied tithes on the personal property of their subjects for the purpose of fighting Saladin (§ 129); and in 1189 Philip Augustus and Henry's successor both prepared to take part themselves in the work. Richard raised money by selling offices to ambitious individuals and privileges of self-government to the towns (§ 135); and he obtained 10,000 marks (£6,666) from William the Lion for releasing him from the homage promised at Falaise (§§ 126, 169). At the end of the year he started overland to Marseilles, where he was picked up by his fleet; thence he proceeded to Messina in Sicily, where he quarrelled with the natives and with the French

King; in the spring of 1191 he sailed to Cyprus, where he took prisoner the ruling prince Isaac, who styled himself Emperor, and married Berengaria of Navarre; and in June he joined the main body of Crusaders in the siege of Acre. After forcing Acre to surrender he marched south along the coast, winning a battle at Arsouf on the way; and twice he came within a few miles of Jerusalem. But disease had so weakened the numbers, and national jealousies had so weakened the harmony, of the Crusaders that he could make no attempt to recover the Holy City. In September 1192 he made a three-years truce with Saladin and next month started home.

§ **133. England during Richard's First Absence, 1190–1194.**—Richard had left England in charge of William Longchamp, Bishop of Ely, as Justiciar, and had tried to secure the loyalty of his younger brother John by marrying him to an heiress, and by making him Earl of Cornwall (and four other counties). After the King's departure there were riots all over the land directed against Jews, who were unpopular because they grew rich by lending money (§ 168). Then Earl John became unruly and put himself at the head of the baronial opposition to the Justiciar; and in 1191 William was deposed in favour of Walter of Coutances, Archbishop of Rouen. One of Walter's first public acts was the formal grant to the wealthy citizens of London of power to act together as a commune or corporation for common objects. Two years later it leaked out that Richard, landing at the head of the Hadriatic on his return from Palestine, had been captured by Leopold, Duke of Austria, and by him sold to his suzerain, the Emperor Henry VI. The Duke had a grudge against Richard, who had treated him contemptuously at Acre in the course of the Third Crusade: the Emperor was glad to have possession of Richard, because he was the brother-in-law and ally of his great enemy, Henry the Lion,* Duke of Bavaria (Table, p. 42). Philip of France, helped by Earl John, did his best to induce the Emperor to keep "the devil" in captivity; but Walter of Coutances, with the support of Eleanor the Queen-mother, strove to secure his release. The ransom was fixed at £100,000—a sum which represented more than the whole average revenue of the kingdom; and Walter obtained the money partly by means of feudal aids, partly by a tax of 25% on personal property. Among the feudal aids levied were the ordinary feudal aid which every tenant in chivalry was bound to pay to

* Henry the Lion was a member of the great family of Welf or Guelf: by his marriage with Henry II.'s daughter Matilda he was ancestor of the reigning House of Brunswick-Hanover which acquired the British throne in 1714.

ransom his lord from captivity, a *Tallage* imposed upon the towns and villan tenants of the Crown, and a land-tax on all freeholders, very much like the Danegeld, but now called *Hidage* or *Carucage*. Queen Eleanor herself took the ransom-money over to Germany and obtained her son's release on doing homage for his kingdom to the Emperor (cf. § 140). Richard was also formally invested with the kingdom of Burgundy—the region bounded on the west by the Saône and Rhone, and on the east by the Jura and the Alps.

§ **134. Richard's Wars in France, 1194–1199.**—In March 1194 Richard landed at Sandwich. He put down the adherents of Earl John, whom he pardoned for his attempt to gain the kingdom, collected the rest of his ransom-money, and washed away the stain of his captivity and homage by having himself crowned a second time at Winchester. In May he left the country and spent the rest of the reign in his Continental territories—especially his favourite land of Acquitaine. By his victory at Fretteval on the Loir (July 1149), and at the bridge of Gisors over the Epte (1195), he foiled the attempts of Philip Augustus to conquer his dominions; but Richard did not live to make his kingship of Burgundy a reality. In the spring of 1199 he was mortally wounded in besieging the castle of Chaluz in Limousin. The enterprise in which he met his death—forcing an insubordinate vassal to give up treasure found on his land—aptly illustrates his character: its motive was a curious combination of greed and legality; it was conducted with military skill, and generosity towards the man who shot the mortal arrow. Richard's type of character does not greatly appeal to the modern mind; but he was one of the best representatives of the ideal which was most admired by the knightly class of his time (cf. § 118).

§ **135. England during Richard's Second Absence, 1194–1199.**—During Richard's second absence, affairs in England were adminstered by Hubert Walter, Archbishop of Canterbury, who had become Justiciar shortly before Richard's return from captivity, and by Geoffrey Fitz-Peter, who succeeded Hubert as Justiciar in 1198. Hubert Walter carefully maintained the traditions of government laid down by his uncle, Ranulf de Glanvil (§ 128). His main business was to supply money for the King's military necessities; and though the taxation was heavy, it seems to have been raised quietly and with the co-operation of the taxpayers (cf. § 129). In 1198, however, a Great Council, following the lead of Hugh, Bishop of Lincoln, refused to accede to Hubert's demands on the ground that they were not obliged to serve the King abroad, and consequently were not obliged

to pay money instead of such service. Among the ways extensively adopted by Hubert Walter for raising money was the sale of charters to towns. The towns were rising in numbers and importance, and they were both willing and able to purchase such "liberties" (*i. e.* privileges) as exemption from the jurisdiction of the sheriff, the right to elect their own municipal officers and collect their taxes, and the legalization of the local gild of merchants. The gild-merchant was an application to the sphere of commerce of that spirit of association which caused the formation of religious orders and orders of knighthood, and which was beginning to cause the formation of those gilds of scholars that soon came to bear the name of universities (§ 160). This extension of the practice of voluntary action by corporate bodies for local purposes, combined with the compulsory collective action of juries, for purposes of taxation, etc., did much to prepare the way for the rise and growth of Parliament (§§ 141, 146–150).

II. John's Loss of Normandy, 1199–1204.

§ **136. John's First War with France, 1199–1200.**—Richard I. on his death-bed expressed a wish that he should be succeeded by his brother John; and, thanks to their mother's influence, John was speedily accepted in most of the Continental dominions of his father and also in England. At his English coronation, Archbishop Hubert was at some pains to impress upon John that he was expected to keep the oaths which he then took. The warning proved useless; but its seasonableness was shown by the facts of his past and future career. John had all the faults of his house but not its energy, and, perhaps, not its ability. His memory has come down to us as the worst of English kings: the chroniclers of his own day used stronger language—"Foul as Hell is, Hell itself is defiled by the fouler presence of John." Philip II. of France took up the cause of Arthur, the twelve-year-old son of John's elder brother Geoffrey. Arthur was supported by his mother, Constance, the Duchess of Brittany, and by many barons in the neighbouring provinces of Anjou, Maine, and Touraine; but after a short struggle he gave up the contest and did homage to his uncle for Brittany.

§ **137. John's Second War with France, 1201–1204.**—Shortly after making peace with Philip, John put away his wife and married Isabella of Angoulême. Isabella's betrothed, Hugh de Lusignan, Earl of Marche, stirred up his neighbours against John, and appealed to John's overlord, Philip Augustus, for redress of

grievances. When John refused to appear before his lord in answer to the accusations made against him, Philip declared John's fiefs forfeited. Arthur again took the field, but in July 1202 he was captured by John while besieging Queen Eleanor in the castle of Mirabeau. John offered his nephew fair terms; the high-spirited lad refused to repeat his former submission; he was imprisoned and disappeared. John's supposed murder of his nephew was another excuse for Philip's attack; and John made no attempt to defend himself. Before the end of 1204 Philip had completed his conquest of Normandy, Maine, Anjou, and Touraine by the capture of Château Gaillard—the "saucy castle" which Richard had built at Les Andeleys for the defence of Normandy.

§ 138. **Development of English Nationality.**—Having conquered the territories which Henry II. had inherited from the Houses of Normandy and Anjou (§ 115), Philip proceeded to attack the broad lands which formed Eleanor's dowry. But though he overran Poitou and other parts of Acquitaine, he was less successful there than in the North. To the men of Acquitaine France was just as "foreign" as England; and, now as in the future (§§ 172, 177), they preferred the distant overlordship of the English king to the nearer sway of the French king. The severance of Normandy, etc. from England compelled those Barons who had possessions in both lands to choose with which country they would cast in their lot. John's incapacity thus greatly developed that blending together of the native English and their Norman conquerors which had already been begun by the natural process of intermarriage and by the accession of monarchs like Henry II. and his sons, who were "foreign" to both. A sense of common nationality and of pride in the self-sufficiency of England had already been enshrined in the pages of Henry of Huntington, a chronicler of Stephen's reign:—

> "Anglia, terra ferax et fertilis angulus orbis,
> Est contenta sui fertilitate boni." *

III. The Quarrel with the Pope, 1205–1213.

§ 139. **The Papal Appointment of an Archbishop, 1205–1212.**—While John was losing his fairest lands he was also losing his best friends. His aged mother died in 1204, and Archbishop Hubert in the following year. The death of Hubert not only removed a restraining good influence from John but also involved

* "England, a fruitful land and fertile angle of the earth, is content with the fertility of its own good things."

him in a quarrel with Pope Innocent III., one of the best and ablest men that ever sat in the Chair of Peter. As the Archbishop was a great national personage, as well as a great ecclesiastic, the custom was for the Pope and the King to agree as to whom the formal electors, the monks of Christchurch, Canterbury were to choose. The monks now chose Reginald their sub-prior; John made them choose his friend John de Grey; on reference to Rome, the Pope caused the monks to ignore both elections and choose Stephen Langton, a native-born Englishman, a great scholar, and a college friend of the Pope. John refused to accept Stephen, who was consecrated at Viterbo in 1207. As John would not yield, Innocent placed his kingdom under an interdict—*i. e.* closed the churches in England and forbade the clergy to administer any sacraments save baptism and extreme unction. John in return forbade the clergy to obey the Pope, and punished disobedience to the royal commands by fining and plundering the clergy. That order thus found what they believed to be their spiritual duty of obedience to the Holy See conflicting with what they regarded as the lesser duty of civil allegiance to their lay sovereign. John continued obdurate, and during the years of the interdict made expeditions against Scotland, Wales, and Ireland. In 1209 the Pope excommunicated John, and three years later he took the further step of declaring him deposed, and of absolving the English from their allegiance. Philip Augustus, himself a former antagonist of Innocent III., was the Papal nominee for the throne thus declared vacant (§ 145).

§ **140. John's Submission to the Papacy, 1213.**—To ward off the danger of invasion John prepared a large army, and made alliance with his excommunicated nephew, the Emperor Otto IV. But John knew that he could not depend on the loyalty of his Barons; and on May 15, 1213, he made a full submission at Dover to Pandulf, the Pope's legate or ambassador. In his act of submission John promised to receive Stephen as Archbishop, to recompense the bishops and clergy for the losses which they had incurred through obedience to the Pope, and to acknowledge that he held his kingdom as a fief of the Papacy (§§ 95, 207). The annual tribute was fixed at 1000 marks (£666).

IV. The Struggle for the Charter, 1213–1216.

§ **141. Archbishop Stephen and the National Opposition, 1213.**—On John's submission the Pope ordered Philip to desist from his intended invasion of England: Philip refused, but his fleet was

destroyed at Damme in Flanders, by the ships of the Cinque Ports (§ 177), under the command of John's half-brother, William Longsword, Earl of Salisbury. John wished to follow up the victory by an invasion of France; but his Barons did not wish him to become too powerful, and thought that he had better settle the disorders of his own kingdom before embarking on foreign enterprises. They refused to follow him, at first on the ground that he was excommunicate, and then, after the Archbishop had formally absolved him at Winchester, on the grounds that they were not obliged to cross the sea to perform their annual military service. John had to give way, and made some attempts to conciliate the opposition which his pecuniary exactions and scandalous living had aroused in all classes of his subjects. In August he summoned an assembly at St. Albans to assess the damages due to the bishops: the assembly included four discreet men and the reeve from each township *on the royal demesne*, and is notable for the fact that the local juries were for the first time gathered together into one place. It was an unconscious step on the road to Parliament (§ 149). In August also, the Justiciar Geoffrey Fitz-Peter (1199–1213) promised on the King's behalf the restoration of the "laws of Henry I."; and in a gathering of the Barons at S. Paul's, the Archbishop produced the *Coronation Charter* of Henry I. as evidence as to what his "law" really was (§ 105). With a view to arranging the promised restoration an assembly was summoned at Oxford in November, to which the Sheriffs were required to send "four discreet men of the shire to discuss with us the affairs of our realm." Apparently the Oxford assembly—concerning which nothing is known—differed from the St. Albans assembly in the breadth of its membership, as well as in the breadth of its business: it was not confined to the King's immediate tenantry, and its business was not exclusively financial; it was a national, not a purely feudal gathering.

§ **142. The Battle of Bouvines, July 1214.**—In 1214 John again attempted to divert attention from domestic reform by attacking Philip. He himself landed at La Rochelle, and succeeded in recovering his mother's possessions as far north as the Loire; but his success was more than balanced by the utter defeat of his allies at Bouvines near Lille. There a great host, composed of Germans under the Imperial claimant Otto, of Flemings under the Count of Flanders, and of English under the Earl of Salisbury, were overthrown by Philip Augustus, who thus established himself securely in the possession of the lands which he had subjugated.

§ **143. Magna Carta, June 15, 1215.**—Encouraged by John's defeat, the Clergy and Barons pressed their demands for substantial reforms. John tried to break up the novel coalition by reissuing the charter in which he had promised complete freedom of choice—subject to a permission, or *congé d'élire*, which he undertook to make purely formal—in the filling of vacant abbacies and bishopries. But the Clergy were not to be deceived by the paper promises of a faithless king; and their archiepiscopal leader formulated the demands of the coalition in a document called the *Articles of the Barons*. When John refused his assent, the Barons prepared to use force; and their army, which called itself "the Host of God and of Holy Church," was so powerful and popular that John was obliged to accept the *Articles* in an amended form. On June 15, at Runnymede, an island in the Thames, between Staines and Windsor, he gave his consent to the *Great Charter of Liberties*. Among the provisions included in the sixty-three clauses of this document—the full text of which would occupy twelve pages of this book—were the following :—

(1) "The Church of England to be free"—especially in the election of her bishops (Art. i.).
(2) Feudal Incidents—Reliefs, Wardships, etc.—to be fixed [§ 101].
(3) No scutage or aid—except the three ordinary aids for the ransom of the lord from captivity, on the knighting of his eldest son, and on the first marriage of his eldest daughter—to be raised without the consent of his Barons assembled in Great Council (Art. xii.).
(4) The Barons to have due notice of the holding of a Great Council: the greater Barons to be summoned by special writ, the lesser Barons to be summoned collectively through the sheriffs (Art. xiv.).
(5) The Barons to observe the same moderation towards their tenants that the King pledged himself to observe towards his Barons.
(6) "No man is to be imprisoned, outlawed, punished, or dispossessed save by the judgment of his equals or by the law of the land" (Art. xxix.).
(7) "To no man will we sell, deny, or delay right or justice" (Art. xl.).
(8) No man, whether serf or free, to be deprived of his "contenement"—*i. e.* means of livelihood—under pretence of lawful punishment for misdeeds.
(9) Merchants to be allowed to travel freely throughout the land.
(10) The customary methods of assessing taxes by juries not to be infringed.
(11) The towns not to be deprived of the liberties that they had purchased.
(12) Justice to be done to the Welsh and to the King of Scots.

§ **144. Importance of Magna Carta.**—The *Great Charter* has been called "the keystone of the English Constitution," "the palladium of English Liberties," and "the standard of British freedom." If it is necessary to follow the fashion of using a metaphor to describe the document, let it rather be called the lodestar whereby future pilots of the Constitution steered the ship of State. It was a constitutional ideal which Stephen Langton formulated, which was based, English-fashion, not on abstract notions of politics but on actual precedents, and which the men who came after him tried to realize. The Charter was a treaty between the King and his subjects which could always be cited as evidence that such and such a thing was contrary to an authoritative statement of the law of the land. The most important clauses in the document were those which provided that the assent of the payer was necessary for the lawfulness of certain kinds of extraordinary feudal taxation (Art. xii., xiv.), and those which recognized the illegality of certain arbitrary methods of royal interference with the persons and property of the individual (Art. xxxix., xl.). The financial restrictions on the Crown were dropped for a season after John's death (§§ 151, 175); but the safeguards provided for the Liberty of the Subject have never been wholly ignored (§§ 387, 468). The importance of *Magna Carta*, however, lay less in what it actually achieved for good government than in the facts that it was won by the efforts, and protected the interests, not of the magnates of the realm alone, but of all classes of the community. In the words of Bishop Stubbs, "the *Great Charter* is the act of a united nation, the Clergy, the Barons, and the Commons, for the first time thoroughly at one."

§ **145. French Invasion and Death of King John, 1216.**—John had no intention of observing the Charter, and at once prepared to overwhelm his rebellious subjects. He appealed to the Pope, who released his vassal from his oath, and threatened to excommunicate his gainsayers; and he collected a great army of mercenaries. The Barons had been authorized by the Charter to take up arms in its defence, but feeling themselves unable to make headway against the combined power of King and Pope, they invited Louis, the son of Philip Augustus, to come and reign over them. The growing sense of English nationality was shown by the fact that this invitation to a foreigner weakened the cause of the Barons; and John, by making fair promises, rallied many of the ministers of his father to his side. None the less, John was losing ground when he suddenly died at Newark in October 1216.

ENGLAND
UNDER THE
PLANTAGENETS
English Miles
0 10 30 60
The names of the Cinque Ports are underlined.
SCOTLAND
Lothian
Clydesdale
Kyle
Carrick
Galloway
Annandale
Tweeddale
Teviotdale
Northumberland
Cumberland
Durham
Westmorland
Lancaster
Cheshire
Derby
Lincoln
Stafford
Leicester
Norfolk
Suffolk
Oxford
Bucks
Hertford
Essex
Gloucester
Berks
Wilts
Hants
Surrey
Kent
Somerset
Devon
Dorset
Sussex
Cornwall
Isle of Wight
Warwick
Northampton
Huntingdon
Cambridge
Shropshire
Herefordshire
Worcester
Monmouthshire
Glamorganshire
Carmarthenshire
Cardiganshire
Anglesey
Caernarvonshire
Merionethshire
Montgomeryshire
Flintshire
Denbighshire
Radnorshire
Brecknockshire
Pembrokeshire
Carmarthen
Aberystwyth
Milford Haven
Caerleon
Chepstow
Bristol
Wells
Glastonbury
Taunton
Exeter
Dorchester
Salisbury
Winchester
Southampton
Chichester
Arundel
Lewes
Hastings
Pevensey
Portsmouth
Canterbury
Dover
Rochester
Sandwich
Romney
Winchelsea
Rye
Hythe
Faversham
Tenterden
Guildford
Reigate
Kingston
London
Windsor
Reading
Oxford
Abingdon
Wallingford
Newbury
Andover
Basingstoke
Farnham
Godalming
Chertsey
Staines
Uxbridge
Hertford
Ware
Bishop's Stortford
Saffron Walden
Newmarket
Bury St Edmunds
Thetford
Lynn
Wisbech
Ely
Peterborough
Stamford
Grantham
Lincoln
Boston
Spalding
Gainsborough
Retford
Doncaster
Pontefract
Wakefield
Leeds
Bradford
Halifax
Skipton
Ripon
Richmond
Darlington
Durham
Newcastle
Tynemouth
Morpeth
Alnwick
Berwick
Lindisfarne
Bamborough
Holy Island
Coldingham
Dunbar
North Berwick
Haddington
Edinburgh
Leith
Firth of Forth
Linlithgow
Stirling
Bannockburn
Perth
Dunkeld
Crieff
Dunfermline
Kirkcaldy
Cupar
St Andrews
Arbroath
Montrose
Brechin
Forfar
Dundee
Aberdeen
Banff
Elgin
Inverness
Fort George
Fort Augustus
Fort William
Oban
Dumbarton
Glasgow
Paisley
Greenock
Ayr
Irvine
Kilmarnock
Dumfries
Kirkcudbright
Wigtown
Stranraer
Whithorn
Solway Firth
Firth of Clyde
Firth of Lorn
Tarbert
Jura
Islay
Mull
Skye
Lewis
Orkney Islands
Shetland Islands
Hebrides
Caithness
Sutherland
Ross
Cromarty
Nairn
Moray
Banff
Buchan
Mar
Angus
Gowrie
Fife
Lothian
Berwickshire
Roxburgh
Selkirk
Peebles
Lanark
Renfrew
Ayrshire
Wigtownshire
Kirkcudbrightshire
Dumfriesshire
Annandale
Nithsdale
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BOOK IV.

THE RISE OF PARLIAMENT, 1216–1327.

INTRODUCTION.

§ **146. Retrospect, 979–1216.**—In the course of the two hundred and forty years dealt with in our third book, England had passed under the sway of three successive dynasties of foreign kings who, among their achievements, had brought the country into closer connection with the continent of Europe, asserted and extended their control over the northern and western portions of the British Isles, and given England its first effective system of central government. The accession of William the Norman had substituted for the connection between England and Scandinavia a far more fruitful connection with Central Europe, especially with Rome, and had checked those tendencies towards internal disunion in England, which had been the prime cause of Harold's defeat (§§ 93–95). The accession of Henry of Anjou had brought England into personal union with Acquitaine—a region which had not yet become what we now naturally think of it as being, an integral portion of "France"—and had amalgamated the Old English substructure of local government and the Norman superstructure of central government into a tolerably compact and uniform edifice (§§ 115, 127–129). John's loss of the greater portion of his father's Continental dominions had raised England from an insular appendage of a Continental Empire into the home and head-quarters of the family which it is convenient to call Plantagenet* (§§ 136–138).

§ **147. Forecast of the Period, 1216–1327.**—The long reign of John's son, Henry III., formed a transition period. The fact that Henry combined an incapacity for government with a strong affection for foreigners, led the English magnates who were discontented with him to seek a remedy for his misrule in a govern-

* Henry II.'s father, Geoffrey of Anjou, wore a sprig of broom (*planta genista*) as a badge: hence in the fifteenth century, when surnames had come into common use, his family became known as Plantagenets.

ment which should at once be effective and English (§§ 156-159). During the struggle between Crown and Baronage there arose the first beginnings of what we call *Parliament* (§ 148). During the half-century occupied by the reigns of Henry's son and grandson, England was comparatively free from Continental complications: the main interest of the period lies in Edward I.'s attempt to bring the whole of Britain beneath his sway, and to elaborate the constitutional mechanism which, within England itself, should secure the constant and amicable co-operation of the governor and the governed in maintaining and improving the common weal. Edward I.'s combination of "reason and righteousness" was recognized by his own contemporaries, and has caused him to be generally accepted in our days as "the Greatest of the Plantagenets." But his policy, though wise and far-seeing in design, was not wholly successful in results. Wales was completely conquered but not absorbed (§§ 162, 163). Scotland, during the reign of Edward's degenerate son, not only regained its independence, but also, as a direct consequence of Edward's intervention, acquired a lasting hatred of its wealthier neighbour. It was in the purely domestic sphere that Edward's greatness was chiefly manifested: he supplemented the work of Henry II. by adding to the machinery by which the King's will was imposed on the kingdom, machinery by which the nation's thoughts and feelings might be brought to influence the King's will. His guiding principle was expressed in his words, "*what touches all should be approved by all.*"

§ **148. The Expansion of the Great Council into Parliament, 1213-1272.**—For the first century after the Norman Conquest the only classes of the community who had any *right* to assist the King in the work of government were those which stood in direct and honourable feudal relations with himself—*i. e.* the lay barons and the prelates, both bishops and abbots (§§ 127, 143). But from the first the King made use of other classes: he used men of ability, generally ecclesiastics, in that routine work of administration which requires special knowledge and experience (§ 101); and he also used the local knowledge of all classes for performing the financial, judicial, and other business of the shires (§§ 97, 108). From a constitutional point of view, the great achievement of Henry II.'s reign was the definite formation of a trained body of government officials, and the constant employment of the well-to-do members of all classes to supplement and check the work of the official class (§§ 127-129). The next step needed was to concentrate

the political experience thus compulsorily thrust on the middle classes in the same way as the political experience of the Baronage, spiritual and lay, was concentrated in the Great Council: that was the main achievement of the thirteenth century. When, about the middle of the thirteenth century, the annalists began to use the term "*Parliament*"—"the place where men talked" (French, *parler*) —to describe the Common Council of the Realm, they implied that the body which had hitherto gathered to listen to the King's intentions and orders had got into a regular, and not merely an occasional, habit of discussing the matters brought before them. But when lawyers and modern historians begin to speak of "Parliament," they look rather to the structure than to the function of the assembly: to them the distinctive marks of Parliament are the elimination of tenancy-in-chief as the sole qualification for a seat in the *Commune Consilium*, and the inclusion within it of the middle classes.

§ **149. Development of Parliament, 1265–1322.**—Room was found for the middle classes by applying to the central assembly that method of elective representation which had been used for judicial and financial work in the Hundred and the Shire so long ago as the reign of William the Conqueror (§ 97). In 1213, 1254 and 1264, representative knights were summoned from each shire to assist the central government in ways specified in the writs of summons; and in 1265 and 1295, representative burgesses and citizens from various important cities and boroughs were similarly summoned, in addition to the county representatives (§§ 141, 159, 173). All these assemblies were merely the adaptation of existing institutions and practices to the special requirements of the occasion: it still remained to select one of these experiments to become a normal part of the Constitution. In 1310 the Baronage took the government out of the hands of Edward II., as their ancestors had taken the government out of the hands of Henry III. sixty years before, and having won the power they tried to keep it to themselves. The "written constitution" embodied in the *Ordinances* of 1311, like that embodied in the *Provisions of Oxford*, 1258 (§§ 156, 182), was purely oligarchical in both origin and character. The result was that in the *Statute of York*, 1322, Edward II. annulled the work of the Lords Ordainers on the express ground that neither knights nor burgesses had had a share in it. Thenceforward—as the *Statute of York* did not happen either to be formally repealed or to become ignored in practice—these classes may be considered as essential parts of Parliament. The name was indeed often used

by writers of the fourteenth century to describe assemblies attended only by the Barons, spiritual and temporal; but the modern historian, for clearness' sake, speaks of such assemblies by the old name of "Great Council" (§ 127).

§ **150. The Structure of Parliament, 1327.**—During the thirteenth century the composition of the Common Council of the Realm varied almost as much as the place of meeting or the business done; but by the time of Edward III.'s accession it had definitely come to consist of the Barons, spiritual and temporal, sitting virtually in their own right, and representatives of the local administrative areas of county and borough, sitting in virtue of elections conducted by the sheriff at the King's command. The entire Parliament thus represented not only those classes of society which had so far become organized and articulate (in technical language, *estates*), but also most of the local interests (cf. § 173). The inferior clergy, it is true, persistently eluded the attempts of Edward I. to embrace them in the parliamentary system, preferring to do their civil work in their provincial convocations; but their absence may well have helped to bring about a feature distinguishing the English Parliament from all the other parliamentary bodies which were springing up in Western Europe at the time. The fact that both the knights and the burgesses came not in virtue of personal right, but as representatives of local communities (*communes*), ultimately brought them together as the single estate of "the Commons," and severed them from the Lords as a distinct "House" of Parliament. The *structure* and arrangement of Parliament were practically completed by the time of Edward III.'s accession: it still remained to determine the *powers* of the body thus constituted (§§ 192, 193).

CHAPTER XII.

HENRY III., 1216–1272.

A. Personal History.—Born at Winchester, October 1, 1207; crowned King of England, October 28, 1216; married Eleanor, daughter of Raymond, Count of Provence (*d.* 1291), 1236; died at Bury St. Edmunds, November 16, 1272; buried at Westminster. For family connections, see Table, p. 42.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Rival Emperors (1204–1261)—	Frederick II. (1212)	Honorius III. (1216)	Philip II. (1180)	Alexander II. (1214)
(*a*) Greek at Nicaea,		Gregory IX. (1227)	Louis VIII. (1223)	
(*b*) Latin at Constantinople.		Celestine IV. (1241)	Louis IX. (1226)	
	Conrad IV. (1250)	*Vacancy* (1241) Innocent IV. (1243)		
	Interregnum (1254–1273)	Alexander IV. (1254) Urban IV. (1261)		Alexander III. (1249–1286)
Michael VIII. *Palaeologus* (1261–1282)		Clement IV. (1265) *Vacancy* (1268) Gregory X. (1271)	Philip III. (1270)	

C. Topics of the Reign.

(i) **International:** *relations with*—
- (1) France: §§ 151, 154, 158.
- (2) Empire: § 155.
- (3) Papacy: §§ 151, 153, 155, 157.
- (4) Sicily: § 155.
- (5) Crusades: §§ 155, 158, 159.

(ii) **Constitutional.**
- (1) The Church: §§ 153, 155, 160.
- (2) The Charter: §§ 151, 152, 156, 159.
- (3) Foreign Influences: §§ 152–155.
- (4) Written Constitutions: §§ 156–159.
- (5) Representation: § 159.

I. The Government of Hubert de Burgh, 1216–1232.

§ 151. The Struggle between Henry and Louis, 1216–1217.—John's death transformed the political situation. Those who had taken up arms against John had no quarrel with his son; and they had good reason to believe that, if Louis became master of the

country, he would govern it with little regard for the wishes of those who had helped him to the throne. About a week after John's death his adherents took the unprecedented step of placing a minor —Henry was just over nine years old—on the English throne. He was crowned at Gloucester, and a little later he was caused to issue a revised version of the Charter in a Great Council held at Bristol. In the second, as in the many later, revisions of the Charter, the clauses relating to the composition and taxative powers of the Great Council were omitted (§ 143): the Barons had felt it necessary to place some check upon John's extravagance, but now that they themselves controlled the government, they did not care to throw difficulties in their own way. They appointed William the Marshal, Earl of Pembroke, to be guardian of the King and kingdom; and with him was closely associated Gualo, the legate of the new Pope, Honorius III. Gradually Louis was deserted, and the young King's party gained ground. In May 1217 Louis suffered a severe defeat known as the Fair of Lincoln; in August his communications with France were broken by the destruction of his fleet, in a fight off Dover, by Hubert de Burgh; and in September, by the *Treaty of Lambeth*, he agreed to leave the kingdom.

§ **152. The Minority of Henry III., 1216–1227.**—After Louis had resigned his claims on England, his adherents swore fealty to Henry, and a second re-issue of the Charter was made with fresh amendments. One of the new clauses provided for the destruction of the adulterine castles, which had sprung up in the late civil war, as in Stephen's reign (§§ 114, 116). Before this provision could be executed the wise and statesmanlike Guardian died, in 1219; and his powers were divided between Peter des Roches, who became the King's tutor, and Hubert de Burgh, who held the Justiciarship for nearly twenty years (1215–1232). Peter and Hubert were old ministers of John: the former developed into the advocate of foreign interests, the latter into the upholder of the principle of "England for the English" (cf. § 138). They did not seriously quarrel, however, until the danger of civil disorder had been removed by the subjection of William of Aumale, in 1221, and of Falkes de Breauté three years later. William represented the old hankering of the feudal barons for local independence (§ 126): Falkes had been a leader of the foreign mercenaries employed by John, and tried to turn against the Government the strength of the castles with which he had been entrusted for its support (§ 145). In 1227 Henry was declared to be of age: he again re-issued the Charter—this time

in the final form in which it appears on the statute-book—and dismissed Peter des Roches from his service.

§ **153. Archbishop and Justiciar, 1227–1232.** — One of Hubert's chief supporters in maintaining a strictly English policy was Archbishop Stephen. After John's submission to the Papacy the Popes for some years kept a legate constantly at the court of their vassal, much in the same way as the British Government now keeps "residents" at the courts of the "feudatory princes" of India. The constant presence of a foreign supervisor proved irksome; and in 1221 Stephen obtained the recall of Pandulf, and arranged that he himself should act as the Papal legate. This precedent was usually followed for the next three hundred years; and thus the subordination of the English Church to the Papacy was maintained in a way that did not usually excite national prejudices (§§ 204, 219). The Archbishop died in 1228, and three years later, Peter des Roches returned to England. He persuaded the King that Hubert was robbing him, and thwarting his attempts to recover his ancestral domains in Acquitaine; and in 1232 Henry suddenly ordered the arrest of Hubert de Burgh. The smith who was ordered to rivet chains on the fallen minister refused to obey: "Is not this," he said, "the faithful Hubert who has so often saved England from being the prey of aliens and given it back to the English?"

II. The Misrule of Henry III., 1232–1258.

§ **154. Influx of Foreign Favourites, 1232–1246.**—Peter des Roches did not long enjoy his triumph. In 1234 he became discredited by his complicity in the murder of Richard the Marshal, son of the Regent, who had headed the English opposition to the new minister; and Edmund Rich, the saintly Archbishop of Canterbury, induced Henry to order Peter to retire from Court to his see of Winchester. Peter's rise to power was chiefly notable for the fact that, in filling offices at Court, he gave preference to his Poitevin fellow-countrymen. This was the first of a series of foreign invasions on a small scale. In 1236 Henry III. married Eleanor of Provence, who brought over to England many Provençals in quest of preferment. In 1239 Henry aroused a storm by giving the earldom of Leicester to Simon de Montfort, a Gascon adventurer who had secretly married Eleanor, sister of the King and widow of the Regent's eldest son William the Marshal. Two years later the archbishopric of Canterbury was given to the Queen's uncle, Boniface of Savoy, who brought over a number of penniless Savoyards

with mouths to fill. In 1242 Henry's attempt to regain Poitou was frustrated by his defeat at Taillebourg and Saintes; and when he returned he brought with him many Poitevin nobles, who claimed compensation in England for their losses in supporting his cause abroad. Finally, in 1247, the sons of Hugh of Lusignan—the old lover whom Henry's mother had married on John's death (§ 137)—came over to England and demanded a livelihood from their royal half-brother. Henry, being an amiable weakling with no sense of the value of money, did his best to satisfy the claims of all these greedy relatives; and naturally enough this stirred up a strong anti-foreign feeling in the minds of his English magnates.

§ **155. Henry's Papal Entanglements, 1246–1258.**—The wealth of England was being drained not only by Henry's foreign favourites and foreign expeditions, but also by the exactions of his foreign overlord, the Pope. During the thirteenth century, the Papacy was tending to turn the power which it had gained under Gregory VII. and Innocent III. (§§ 95, 139), to purposes which were far more political than religious; and the strictly religious work, which the Papacy and the new orders of monks had undertaken under the impulse of the Clugniac movement, was being taken up by a fresh set of religious enthusiasts known as *friars* (§ 160). About 1239 the Papacy embarked on a struggle against the Emperor Frederick II., and tried to obtain the necessary funds by a system of international taxation from its vassal states. It was during this period that the Pope began to make money and to pay his servants by the gift of benefices which were not his to give, and also to claim the first year's income (*annates* or *first-fruits*) from the recipient of an ecclesiastical benefice, especially a bishopric. In addition to these taxes, which tended to become regular, the Pope periodically sent out agents to collect funds for some special business, which was usually dignified by the name of a Crusade. At a General Council of the Western Church, held at Lyons in 1245–6, the English delegates complained that 60,000 marks (which was nearly as much as the King's income) were drawn away every year from the kingdom into the pockets of the Pope, or of the absentee incumbents whom he had appointed to English benefices. In 1250 Frederick II. died; four years later, his son died also; and then Pope Alexander IV. flattered the vanity of Henry III. by offering the vacant dominions and dignities to members of his family. Henry's brother Richard, Earl of Cornwall, accepted the Empire under the title "King of the Romans" (1257), but never obtained more than a

partial recognition in Germany; and Henry accepted the crown of Sicily for his nine-months-old son Edmund. The Pope spent money freely to conquer Sicily for his vassal; and in 1257 Henry asked his Great Council for 135,000 marks to repay his debt to the Papacy.

III. The Attempt to Control the Crown, 1258–1272.

§ **156. The Provisions of Oxford, 1258.**—Henry's request brought the long-standing opposition to a head. Already in 1233 the Barons had mentioned the possibility of a deposition: in 1244 and 1255 they had insisted on having some voice in the appointment of ministers. Henry promised his consent, but he gave no support to any minister: he had the mania of the incompetent for doing everything himself. The Barons knew by experience that it was no good making Henry repeat his promise to observe the Charter: the only remedy that they could use for his misrule was to take power out of his hands. In May 1258, a Parliament—as the Great Council was beginning to be called—induced the King to promise to trust the management of affairs to a council of twenty-four men, nominated half by himself, half by the Barons. This council was chosen in an assembly which met at Oxford, and which came to be called the "Mad Parliament." The first business of the Council was to draw up the *Provisions of Oxford*, under which all the powers of government were placed in the hands of a kind of representative oligarchy. Each twelve of the aforementioned twenty-four elected two from the other twelve, and the four thus chosen selected fifteen as a continual Council of State. Another committee of twenty-four determined the aid required by the King for the wars in France and Sicily (§§ 154, 155), while a third body of twelve was elected by the Barons to meet the above council of fifteen thrice a year for the discussion of matters of state.

§ **157. Breakdown of the "Paper Constitution," 1259–1263.**—In October 1258 Henry swore to observe the constitution drawn up at Oxford, and issued proclamations, not only in Latin and French, but also in English, expressing his readiness to accept the advice of his allotted ministers. But Henry did not keep his word; and his endeavours to shake off dictation were furthered by divisions among the ranks of the Baronage. Though the Barons professed to act on behalf of the whole community, most of them showed little activity save for their own interests. When the Council of Fifteen delayed to issue the further reforms promised in the *Provisions of Oxford*, a group of the smaller landowners, or knights, calling themselves "the community of the bachelorhood of all England," induced Henry's son Edward to take up their cause. The result of this pressure was

the issue, in December 1259, of the further reforms, embodied in the *Provisions of Westminster*, which mostly concerned the county administration. The continuance of the breach between the baronial party under Richard of Clare, Earl of Gloucester, and the more popular party, under Simon, Earl of Leicester, encouraged Henry to attempt the recovery of his power. In 1261 he induced the Pope to absolve him from his oaths to observe the Provisions; and in 1263 both parties appealed to arms.

§ **158. Simon de Montfort, 1263–1265.**—Owing to the death of Gloucester, the Barons were for a time tolerably united under the leadership of Earl Simon. After his marriage with the King's sister (§ 154), Earl Simon, already half an Englishman by descent, became a thorough Englishman by choice. He was highly esteemed by the best men of his day—such as Robert Grossteste, Bishop of Lincoln; and he had had a wide experience of the art of ruling men as a Crusader in the East (1240–1), and as the Governor of Gascony for Henry III. (1248–1253). In 1259 he had brought the long desultory warfare in Acquitaine to a close by arranging a treaty in which Louis IX. of France had recognized Henry's rights in Acquitaine, in return for Henry's formal surrender of the northern territories conquered by Philip Augustus in 1204–6 (§§ 137, 138). Louis's reputation for fairness and high-mindedness caused him to be chosen as the arbitrator of the quarrel between Henry III. and his Barons in 1263. But Louis, thinking that baronial rule would mean anarchy in England as in France, gave his award almost entirely in favour of the King; and Earl Simon refused to accept this *Mise of Amiens* (January 1264). War again broke out; and in May 1264 the Earl defeated and captured Henry and his brother Richard at Lewes.

§ **159. End of the Barons' War, 1264–1267.**—On the day after the battle Henry's son Edward surrendered, and it was agreed in the *Mise of Lewes* to refer the quarrel again to arbitration. Meanwhile a provisional government was appointed under rather less cumbrous conditions than those specified in the Oxford Constitution. For more than a year the direction of affairs was practically in the hands of Earl Simon, who saw that his power was not likely to last unless it was "broad based upon the people's will." During the recent troubles the King or his ministers had twice gone beyond the baronial class for money and advice, by asking the sheriffs to send representative knights, elected in the full county-court, to attend the Great Council (in 1254 and 1261): in 1265, Earl Simon went a step further and invited certain cities and boroughs to send representatives to a parliamentary assembly which he summoned in the King's

name. A few months later Edward escaped from captivity in Wales, and raised an army in his father's name; and in a battle at Evesham, August 1265, the Earl was defeated and slain. Some of his followers still held out, but they were crushed in the two following years at Kenilworth and Ely; and in 1267 a Parliament held at Marlborough practically swept away all the recent attempts to place restraints on the King, but bound him to observe the comparatively old restrictions contained in the *Great Charter*. Edward had learnt the lesson of moderation from the course of the struggle, and so reformed his father's methods of government that in 1270 he could feel it safe to leave England in order to take part in the Seventh Crusade. While he was absent, Henry III. died in 1272.

§ 160. The Friars and the Universities.—Henry's long reign —which in English History has been exceeded in length only by the reigns of Victoria and George III.—was marked not only by important constitutional experiments and by the further development of a sense of English nationality, but also by great social movements. At the beginning of his reign, Pope Honorius III. sanctioned the formation of two new religious orders, usually called after the names of the founders, the Dominicans and the Franciscans. These *friars*, unlike the older orders of *monks*, did not withdraw themselves as far as possible from the world in order to save their own souls, but threw themselves into the world for the set purpose of saving their fellowmen, soul and body. The Dominicans mainly devoted themselves to preaching, the Franciscans to charitable work among the poor: both orders, like the other orders of friars which sprang up in imitation of them, took the strictest vows of poverty, and obtained their food and clothing entirely by begging. Besides their strictly religious and philanthropic work, the friars took great part in the world of politics and learning. They sided with Simon de Montfort in what struck them as a struggle to "raise the poor and helpless"; and they tried to further the cause of "true religion and sound learning," by using their influence in those gilds of teachers and students that were taking the shape of *universities* (*i.e.* self-governing corporations) at Oxford and Cambridge. Oxford had become an educational centre so early as Stephen's reign, but the first charter recognizing the existence of a teaching gild, alongside the trading gild of the town (§ 135), was not obtained till 1209, and the first "college" within the university was not founded till 1264. The University of Cambridge seems to have taken formal shape about 1209, in consequence of one of the many secessions of scholars and teachers from Oxford,

CHAPTER XIII.

EDWARD I. AND WALES, 1272–1290.

A. Personal History.—Born at Winchester, June 22, 1239; succeeded his father as King of England, November 20, 1272; crowned August 19, 1274; married (*a*) Eleanor, daughter of Ferdinand III. of Castile (*d.* 1290), 1254, (*b*) Margaret, daughter of Philip III. of France, 1299; had issue by both wives; died at Burgh-on-Sands, July 7, 1307; buried at Westminster. For family connections, see Table, p. 42.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Michael VIII. (1261)	*Interregnum* (1254–1273)	Gregory X. (1271)	Philip III., *the Bold* (1270)	Alexander III. (1249)
The first of 8 Emperors of the House of **Palaeologus**	Rudolf I. *Hapsburg* (1273–1292)	Innocent V. (1276)		
		Hadrian V. (1276)		
		John XX. (1277)		
		Nicolas III. (1277)		
Andronicus II. (1282–1328)		Martin IV. (1281)	Philip IV., *the Fair* (1285)	Margaret (1286–1290)
		Honorius IV. (1285)		
		Nicolas IV. (1289)		

C. Topics of the Period.

(i) **International**: *relations with*—
(1) France: §§ 162, 168.
(2) Scotland: §§ 161, 168.
(3) Crusades: § 161.

(ii) **Constitutional.**
(1) Wales: §§ 162, 163.
(2) Legislation: §§ 164–167.
(3) Jews: § 168.

I. The Conquest of Wales, 1272–1285.

§ **161. Edward's First Five Years, 1272–1276.**—Four days after the death of Henry III. fealty was sworn to his absent son in a Great Council, attended by the magnates of the realm, and by representatives from the shires. Edward I. dated his reign from this national acceptance, not, as most of his predecessors had done, from the coronation. This was a step towards the adoption of the constitutional principle, not definitely acknowledged till the accession of Edward VI. (§ 315), that "the King never dies." Pending Edward's return the government was carried on by the Chancellor, Walter of Merton, whose name is perpetuated in the oldest college buildings in Oxford University. Edward travelled slowly back from the Holy Land, and did not reach England till 1274, when the Scots

King attended his coronation and did homage, as Earl of Huntingdon (§ 169). In the following year Edward held his first Parliament, which passed the *First Statute of Westminster*, regulating the freedom of elections in the county-court, and authorizing the export dues which the King had been *accustomed* to levy, and which were therefore called *customs* (§ 175). This statute, like most of Edward I.'s legislation, was drawn up in French, not Latin.

§ **162. Edward's First Welsh War, 1277.**—On his way back from Palestine Edward I. had reduced Gascony to order; and one of his first tasks on reaching England was to apply a similar discipline to the equally unruly region of Wales. Since the time when William Rufus had authorized private adventurers to undertake piecemeal the work of conquest which he was unable to effect in a single campaign (§ 100), the bulk of South and Central Wales had passed into the hands of a number of semi-independent Lords-Marchers: but Snowdonia and Powys, the most mountainous parts of Gwynedd, remained under the rule of native princes. These princes had taken an active part in the baronial opposition to John and Henry III. *Magna Carta* contained special provisions for the benefit of Llewelyn-ap-Jorweth, who was for fifty years Prince of Gwynedd (1194–1240). Llewelyn's grandson, Llewelyn-ap-Gruffydd (1246–1282), was an old antagonist of Edward: while still young, Edward had been placed in charge of the coast district lying between the Dee and the Conway, and in that capacity had naturally come into conflict with the Welsh prince; and besides Llewelyn had been a supporter of Simon de Montfort. In 1275 a marriage was arranged between Llewelyn and Simon's daughter, Eleanor; and Edward, fearing the marriage might lead to a renewal of the old troubles, seized the bride on her way from France to Wales. Llewelyn took up arms, but being defeated, made his submission, and received back his bride under the *Treaty of Conway*, 1277.

§ **163. Annexation of the Principality, 1282–1285.**—Five years later, Llewelyn, incited by his half-brother David, revolted against his overlord, and Edward resolved to make his conquest complete. Towards the end of 1282 Llewelyn fell in a skirmish on the Wye; and in the following year David, who had played a double game in his attempt to supplant his brother, was captured and executed. The government of the conquered principality was regulated by the *Statute of Wales*, passed at Rhuddlan in 1284. North Wales was to be divided into six sheriffdoms, and English law was to be administered by circuit judges under a Justice of Snowdon.

Some years later—in 1301—Edward created his eldest son "Prince of Wales"; and since that time that title has usually been given to the heir to the English throne. It was not until the time of Henry VIII. that the whole of the region which we now call "Wales and Monmouthshire"—including both the Principality proper, and also the dominions of the Lords-Marchers—was divided into shires and given representatives in the English Parliament (§ 306).

II. Edward I.'s Legislation, 1275–1290.

§ **164. Edward's Judicial Reforms.**—The first half of Edward I.'s reign was occupied not only with the conquest of Wales, but also with much activity in legislative work, especially in adapting Henry II.'s administrative arrangements to new conditions (§§ 127–129). Edward I.'s legislation springs out of two features in his character which were shared by several contemporary monarchs: (*a*) he had a great love for order and symmetry and coherence; (*b*) he saw that a king's will was much more likely to be effective if it did not run counter to the tastes and opinions of his subjects. Some of his reforms were carried out by his own sole authority; some were enacted by the advice of persons summoned to give him counsel on matters within their knowledge; and some were developments which Edward consciously or unconsciously promoted for their practical advantages. Within this last category falls the division of the King's Court, in its judicial aspect (§ 127), into the three Courts of Common Law—the King's Bench (dealing especially with criminal cases), the Exchequer (dealing with financial business), and Common Pleas (dealing with lawsuits between private persons).

§ **165. Edward's Legislative Methods.**—Most of Edward's important legislative reforms were promulgated with the assent of those classes which they concerned: sometimes only the barons, clerical and lay, were present; sometimes representative knights were also summoned; but it was not till the second half of the reign that Edward followed the precedent of his godfather, Earl Simon, in summoning representatives of the cities and boroughs (§§ 149, 159). On one occasion, in 1283, two provincial councils, including both clergy and laity, met at Northampton and York respectively, mainly for financial purposes: this was an adaptation to secular politics of the practice followed by the Convocations of the Clergy, who met, not in one national assembly, but in two assemblies, representing respectively the archiepiscopal provinces of Canterbury and York.

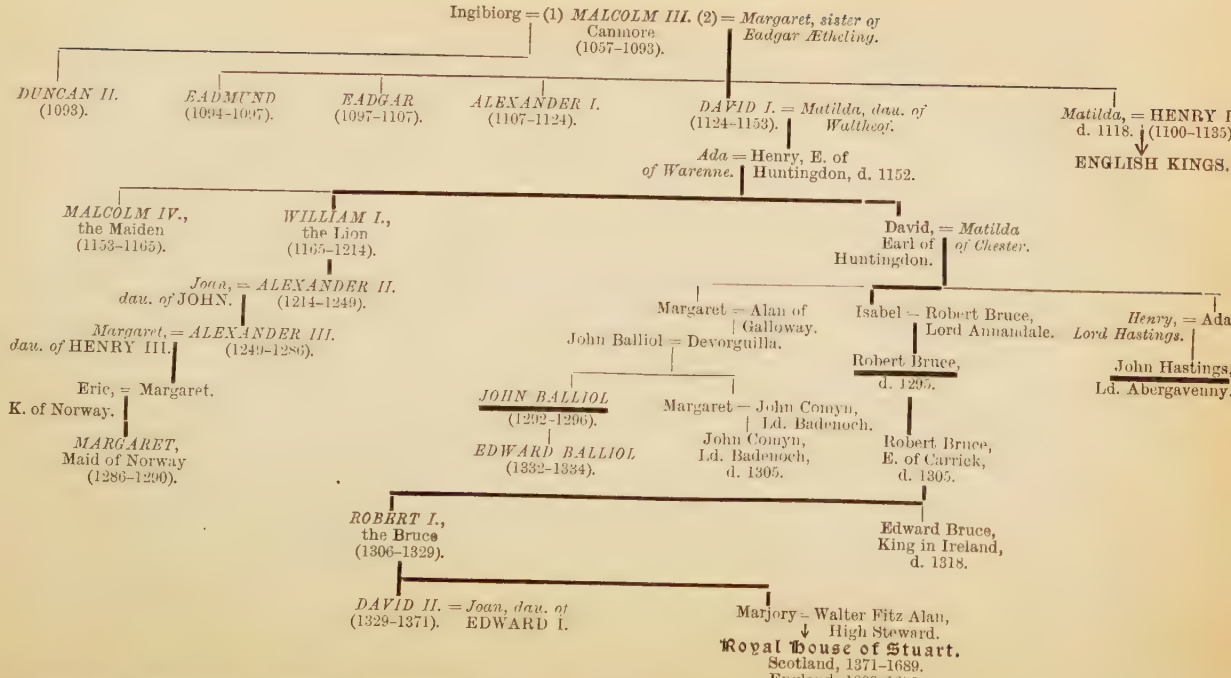
§ **166. Miscellaneous Examples of Legislation.**—The general

feature of Edward I.'s statutes is not so much their novelty, as their reduction of a mass of old and conflicting customs and laws in some branch of law to intelligible simplicity: they constituted a kind of departmental codification, affecting all classes of the community—the Clergy, the Baronage, and the Middle Classes. For instance, the *Statute of Winchester*, 1285, revised and regulated the *Assize of Arms*, 1181, in prescribing a graduated system of arms and training for various kinds of citizens with a view to national defence (§ 129). Similarly the *Statute of Merchants*, also known as the *Statute of Acton Burnell*, 1283, simplified the legal machinery for the recovery of debts. The writ or statute known as *Circumspecte Agatis*, 1285, was an attempt to define the limits of spiritual and temporal jurisdiction (§ 121).

§ **167. Edward I.'s Land Legislation.**—Most of the conspicuous legislative measures of Edward's earlier period dealt with the burdens and privileges attached to the possession of land. The *Statute of Mortmain*, or *de Religiosis*, 1279, was designed to check the transfer of lands into the "dead hand" of religious corporations, which were wont to evade the military and financial duties of landholders. The *Second Statute of Westminster*, commonly called *De Donis Conditionalibus*, 1285, founded the system of entails. The *Statute Quia Emptores*, 1290, checked the practice of sub-infeudation, in order to bring all landholders as distinctly as possible into direct relation with the King (cf. § 97). The details of these statutes are highly technical: their general tendency was to complete the subordination of the *feudal* tie between "lord" and "man" to the *political* tie between "King" and "subject." It was rather because Edward I. was the most legal-minded of English monarchs, than because his work bears any resemblance in method or detail to the work of the greatest legislator among the Roman Emperors, that he has sometimes been called "the English Justinian."

§ **168. Expulsion of the Jews, 1290.**—During the interval elapsing between the *Statute of Winchester* and *Quia Emptores*, Edward was absent for three years in Gascony, which he sought to make secure against the probable attacks of the new French King (§§ 158, 171). On his return in 1290 he ordered the expulsion of the long-suffering Jews from England and confiscated their real property; but the expulsion had not the intended result of stamping out the "unchristian" practice of lending money at interest. In the same year Edward lost his first wife and became immersed in the question of the Scottish Succession (§ 169).

The Anglo-Scottish Kings.


Ingibiorg = (1) MALCOLM III. Canmore (1057–1093). (2) = Margaret, sister of Eadgar Ætheling.
DUNCAN II. (1093).
EADMUND (1094–1097).
EADGAR (1097–1107).
ALEXANDER I. (1107–1124).
DAVID I. = Matilda, dau. of Waltheof. (1124–1153).
Matilda, = HENRY I d. 1118. (1100–1135)
ENGLISH KINGS.
Ada = Henry, E. of Huntingdon, d. 1152.
of Warenne.
MALCOLM IV., the Maiden (1153–1165).
WILLIAM I., the Lion (1165–1214).
David, = Matilda Earl of Huntingdon.
of Chester.
Joan, = ALEXANDER II. dau. of JOHN. (1214–1249).
Margaret, = ALEXANDER III. dau. of HENRY III. (1249–1286).
Margaret = Alan of Galloway.
John Balliol = Devorguilla.
Isabel = Robert Bruce, Lord Annandale.
Henry, = Ada
Lord Hastings.
Robert Bruce, d. 1295.
John Hastings, Ld. Abergavenny.
Eric, = Margaret. K. of Norway.
MARGARET, Maid of Norway (1286–1290).
JOHN BALLIOL (1292–1296).
EDWARD BALLIOL (1332–1334).
Margaret = John Comyn, Ld. Badenoch.
John Comyn, Ld. Badenoch, d. 1305.
Robert Bruce, E. of Carrick, d. 1305.
ROBERT I., the Bruce (1306–1329).
Edward Bruce, King in Ireland, d. 1318.
DAVID II. = Joan, dau. of (1329–1371). EDWARD I.
Marjory = Walter Fitz Alan, ↓ High Steward.
Royal House of Stuart.
Scotland, 1371–1689.
England, 1603–1689.

NOTE.—Scots Kings in *ITALIC CAPITALS*: English Kings in ROMAN CAPITALS; Anglo-Scottish marriages in *small italics*. The names of the three principal claimants for the Scottish throne in 1290 are heavily underlined.

CHAPTER XIV.

EDWARD I. AND SCOTLAND, 1290–1307.

A. Personal History.—See Chapter XIII.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Andronicus II. (1282–1328)	Rudolf I. (1273)	Nicolas IV. (1289)	Philip IV. *the Fair* (1285–1314)	*Interregnum* (1290–2)
	Adolf *Nassau* (1292)	*Vacancy* (1292)		John Balliol (1292)
	Albert I. *Hapsburg* (1298–1308)	Celestine V. (1294)		*Interregnum* (1296–1306)
		Boniface VIII. (1294)		Robert I. *Bruce* (1306)
		Benedict XI. (1303)		
		Clement V. (1305–1314)		

C. Topics of the Period.

(i) **International**: *relations with*—
(1) France: §§ 171, 172, 175–177.
(2) Scotland: §§ 169–171, 176–178, 180.
(3) Papacy: §§ 174, 179.

(ii) **Constitutional**.
(1) Church: §§ 174, 175.
(2) Parliament: §§ 173, 179.
(3) Taxation: §§ 172–175.
(4) Suzerainty: §§ 169, 173.

I. Edward's First Conquest of Scotland, 1290–1296.

§ **169. Review of Anglo-Scottish Relations, 924–1189.**—Edward I. was a lover of system and order: that fact explains both his consolidatory legislation within England, and his endeavour to attach Wales and Scotland thoroughly and permanently to the English crown. His intervention in both Wales and Scotland was undertaken as part of his imperial policy which strove to carry forward Henry II.'s work in knitting together all England by the bond of a uniform and efficient system of law, and also aimed at making good the claims of earlier kings to be *basileus* or *imperator* of all Britain (§§ 63–65). But if the ultimate aim of both attempts was the same, the circumstances of the two countries, the conditions and manner of interference, and the results, were

wholly different. His dealings with Scotland turned on the ambiguity attaching to the position of "suzerainty." From the early days of the tenth century onward, many Scots kings had acknowledged some kind of dependence on English kings—sometimes "commending" their whole kingdoms (*e. g.* 924 and 1174), sometimes doing homage for such outlying parts of England as Strathclyde (945), Lothian (966), and Cumberland (1068), or for earldoms in the heart of England, such as Huntingdon (§§ 111, 161). But all English claims to feudal suzerainty over the kingdom of Scotland, *as a whole*, had been definitely abandoned for himself and for his successors by Richard I. in 1189 (§ 132). Perhaps that renunciation may be considered the most important effect, for England, of the vast movement known as the Crusades.

§ **170. The Award of Norham, 1292.**—On the death of the Scots King Alexander III. in 1286, his sole surviving descendant was his grand-daughter, Margaret, the "Maid of Norway." Though she was only three years of age, Margaret was recognized as queen; and in 1289 Edward I. concluded with her guardians the *Treaty of Brigham*, whereby the infant queen was betrothed to his son Edward. But the attempt to secure the peaceable union of the two kingdoms in Britain was frustrated by Margaret's sudden death in September 1290 (cf. § 312). Under English and feudal influences the Scots kingdom had been tending towards hereditary succession, but had not yet settled the rules of priority in claims through descent. Margaret's death brought forward a swarm of candidates for the vacant crown, most of whom were descended from William the Lion's younger brother David, Earl of Huntingdon (Table, p. 108). The chief claimants—Balliol, Bruce and Comyn—held lands in both Scotland and England; and they, therefore, naturally agreed to accept the arbitration of the English King. After obtaining from all the candidates and from the Scottish magnates generally, an acknowledgment of the vassalage of the Scots kingdom, Edward I., with the assent of a joint committee of English and Scottish barons, decided in favour of John Balliol, by the *Award of Norham*, 1292.

§ **171. John Balliol's Kingship and Revolt, 1292–1296.**—Both before and after his coronation at Scone in November 1292, John Balliol did homage for his whole kingdom to Edward I. as to his liege lord. Edward I. did not allow these acts of homage to remain an empty form: he encouraged Scotsmen having grievances against their king to appeal to that king's overlord. In 1295 Balliol, finding the claims of his suzerain irksome, threw off his allegiance,

invaded the northern counties of England, and entered into alliance with France and Norway. Early in the following year Edward marched north, captured Berwick, defeated the Scots at Dunbar on April 27, and three months later received the submission of John at Montrose. After a brief imprisonment, John was allowed to retire to his family estates at Bailleul in Normandy, and his kingdom was declared forfeit. Edward occupied the castles in Southern Scotland, and placed the administration of the kingdom in the hands of John Warenne, Earl of Surrey, and Sir Hugh Cressingham. At the same time he took the stone of destiny on which the Scots kings had been wont to be crowned and brought it from Scone to Westminster: thereby signifying that the centre of the Scots kingdom, which had already been moved from the Highlands to Dunkeld and Edinburgh, was to be moved still further south—to London (§ 362).

II. Constitutional Developments, 1294–1297.

§ **172. Troubles in Gascony, 1293–1294.**—In dealing with John Balliol Edward had been hampered by similar troubles with regard to France. The political connection between England and Guienne had promoted commerce between the two countries; and the commerce had excited maritime jealousies which had culminated in a great sea-fight off St. Mahé in Brittany in 1293. There a fleet of English, Gascon, and Irish ships had defeated a fleet of Norman, French, and Fleming ships. Philip IV. of France had called upon Edward to punish his subjects for this aggression; and Edward had handed over to his feudal lord his castles in Gascony as security that punishment should be exacted. Having obtained possession of the castles, Philip refused to carry out his promise to restore them. In 1295 open war broke out between France and England, in the course of which the Scots King initiated the lasting alliance of France and Scotland (§§ 171, 201, 229). The pressure of the combined wars had reduced Edward to great straits for money. In 1294 he not only seized all the wool in the kingdom, but also obtained large grants from the different classes of his subjects: the Clergy had given up half their income, the Barons and Knights one-tenth, and the Towns one-sixth.

§ **173. The Model Parliament, 1295.**—Edward still required not only the financial aid, but also the moral support of his people in his combined efforts to assert his rights as a feudal lord on one side of the Channel, and as a feudal vassal on the other side. Hence in 1295 he summoned so completely representative an assembly of his

English subjects, that the gathering has become known as the "Great" or "Model Parliament." This Parliament has been described as "partly a concentration of local machinery and partly an assembly of estates." Bishop Stubbs's formula is so exhaustive and so condensed as to both deserve and need explanation. The Parliament of 1295 was a "concentration of local machinery," because it performed for the whole country certain duties of Taxation, Defence, and Justice, which had hitherto, for the most part, been done in the shiremoots. It was an "Assembly of Estates," because it included all the different classes of people in the realm which had acquired sufficient wealth and leisure to aspire to political power and had attained the cohesion implied in the term *estate* (§ 150). These "Estates of the Realm" are, properly speaking, *Clergy*, *Lords*, and *Commons;* but as the Inferior Clergy early ceased to attend Parliament as an estate (preferring to do their civil work in their own ecclesiastical Convocations), the three estates soon came to be accounted "Lords Spiritual, Lords Temporal, and Commons." The latter classification is sometimes distinguished from the originally correct one as "estates of *Parliament*." In 1295 all these were present, in person or by representation, summoned in much the same way as they have been ever since: they even voted moneys separately, though they were not yet parted into "houses." But though the ingredients of our Parliament were there, the powers of that Parliament were still limited. Their function, so far, was not *to grant money* so much as to say *how much they would grant* (§§ 192, 193).

§ **174. The Bull Clericis Laicos, 1296.**—Edward I.'s exactions continued, and gave much dissatisfaction among all the classes of a nation which had not yet learned to regard its ruler's quarrels as its own. His repeated seizures of wool and irregular *tallages* (§ 133), exasperated the merchants and the towns. The clergy tried to protect themselves by taking shelter under the Bull *Clericis Laicos*, issued by Pope Boniface VIII. in 1296. In that Bull Boniface VIII., partly to assert the independence of the clergy, partly to make it difficult for the kings of England and France to find money for their wars, straitly forbade the clergy of his obedience to pay taxes to the civil power. Edward I. and his rival took up the same line of resistance to this excuse: if the Clergy would not give money to support the State, they should not receive the support of the State. When Robert of Winchelsey, Archbishop of Canterbury, cited the Papal Bull as a reason for not paying taxes, Edward

outlawed the Clergy: that is to say, he would not allow his courts to give any redress to clergymen who had been robbed or insulted or otherwise injured. The Clergy had to give way, veiling their disobedience to the Pope under the pretext that the money was not compulsory taxes but voluntary presents. Before the Clergy had yielded, Edward became involved in disputes with the Barons.

§ **175. Confirmatio Cartarum, October 10, 1297.**—Having conquered Scotland in 1296 (§ 171), Edward resolved to face Philip on the mainland in the following year. Reversing John's procedure in the similar crisis of 1213-5 (§§ 141–143), Edward proposed to go in person to Flanders and to send an army to Gascony. Two of his leading magnates—Humfrey de Bohun, Earl of Hereford, the Constable, and Roger Bigod, Earl of Norfolk, the Marshal—declined to go to Gascony. Their reasons were not the old plea that they were not bound to serve abroad (§§ 135, 141), but that they were only bound to "follow the King." Edward had to go without them: and during his absence the Earls, supported by the Clergy under Archbishop Winchelsey, stopped the levying of taxes, and forced the King's son, acting as Regent for his father, to accept a revised version of the *Great Charter* and of the *Forest Charter*. In October, Edward I., at Ghent, ratified his son's concessions. Of these concessions there are extant two versions. The version known as *De Tallagio non Concedendo* is in Latin, is an "unauthoritative abstract," and especially provides that the King is not to levy tallages on the demesne lands of the Crown, or to punish those who had taken up arms. The authorized version, which is in French, but is known by the Latin name of *Confirmatio Cartarum*, goes much further, providing—

(1) That the Charters are to be confirmed.

(2) That the King is not to raise *taxes of the kind recently levied* in an arbitrary manner without "the consent of the Earls, Barons, and all the commonalty of the land and for the common profit of the same"—except in the case of the "ancient *aids* [feudal] and *prises* [taxes on exports and imports], due and accustomed."

III. Edward's Second Conquest of Scotland, 1297-1305.

§ **176. National Scottish Rising under Wallace, 1297–8.**—Edward's campaign against France in 1297 was as unsuccessful as his resistance to the struggle for domestic reforms. In 1298 he made a truce with Philip, and returned home to face the new troubles in Scotland. Edward's early measures in Scotland had been taken with the formal assent of the Scottish magnates (§ 170); but they were

half English, and did not represent the feelings of the lesser gentry and the masses of the people in the Lowlands. Moreover, Edward's deputies had been oppressive in their government. In 1297 an Ayrshire knight, Sir William Wallace of Elderslie, raised the Lowlands against the English King; and though the chief men of the country held aloof, he managed to defeat the Earl of Surrey and a large English army at Cambuskenneth, near Stirling. In 1298, Edward marched north, and used the long-bows of his Welsh troops with such effect that Wallace was completely routed at Falkirk (July 22). Wallace took refuge in France, and for some years the adherents of John Balliol regarded John Comyn, one of the original claimants of the throne in 1290 (Table, p. 108), as the ruler of the country on behalf of the absent King.

§ 177. **Relations between England and France, 1299–1303.**—Meanwhile Edward was engaged in hostilities with France. Edward's difficulties in Britain had given Philip the opportunity of overrunning the whole of Guienne (§ 172). But Philip's treatment of Edward as Duke of Gascony aroused the alarm of his other great vassals; and his government of Guienne itself was less conciliatory and less beneficial than that of his rival. Edward, both before and after his father's death, had exerted himself to increase the prosperity of his subjects there by establishing good internal government and by improving their commercial relations with their Spanish neighbours and with England. The wine-trade between England and Guienne rivalled in importance the wool-trade between England and Flanders (§ 198). Edward had also tried, and tried successfully, to make this maritime trade safe by strengthening his naval resources. In 1278 he had granted a charter to the Cinque Ports (Map, p. 92), whereby, in return for exemption from all taxes and for the privilege of holding their own law-courts and parliament, they were bound to equip and maintain a fleet for offensive and defensive purposes. And when, in 1295, he appointed three commanders, with the novel title of *Admiral*, to defend the western, southern and eastern coasts respectively, he entrusted the southern coast to the care of the Warden of the Cinque Ports. On the overthrow of Wallace (§ 176), he was able to bring his French difficulties to a pacific settlement. In 1299, he and Philip entered into the *Treaty of Chartres*, whereby Edward took Philip's sister Margaret as his second wife; and four years later a further marriage was arranged between Edward's eldest son and Philip's daughter Isabella (§ 181). At the same time Philip restored Guienne to King Edward. Both kings had more pressing

business on hand: Philip was engaged not only in fighting the townsmen of Flanders, but also in a struggle with the Pope; while Edward wished to complete his settlement of Scotland.

§ **178. Settlement of Scotland, 1304–1307.**—In 1304, Scots affairs were arranged by a joint board of twenty Scots and English deputies on a system of joint control. Justice was to be administered by an equal number of Scots and English judges; the old customary law was superseded by "King David's laws"; the Scots Parliament was to send deputies to the English Parliament year by year (§§ 433, 450). In 1305, Wallace, who had returned to Scotland, was captured at Glasgow, and executed as a traitor in London. His character has been much disputed; but there is no doubt that he had great military abilities, and that his leadership did much to draw the different peoples in the Lowlands—for the Highlanders were hardly affected by these changes—into feeling a sense of Scottish nationality.

IV. Edward's Third Conquest of Scotland, 1306–1307.

§ **179. The Papacy and Scottish Affairs, 1299–1307.**—Edward's later dealings with Scotland brought him into conflict with Pope Boniface VIII. In 1299 the Pope claimed Scotland as a fief, and ordered Edward to leave the settlement of its affairs to him. Edward, as in 1296 (§ 174), made use of the civil power to withstand the encroachment of the ecclesiastical power. The Parliament of Lincoln in 1301 repudiated the claim of the Papacy to Scotland. Six years later Edward was able to make a counter-attack on the Papacy: his last Parliament, sitting at Carlisle, besought him to enact laws against the recent Papal practices of appropriating the patronage and the first year's income of church benefices (§ 204).

§ **180. Scottish Rising under Robert Bruce, 1306–7.**—The kingdom of Scotland obtained no relief either from the lofty claims of the Pope or the daring efforts of a comparatively unknown man like Wallace: the ultimate emancipation of Scotland came from a man belonging to that circle of semi-English magnates who had been Edward's early allies. In 1306 Robert Bruce, grandson of the Robert Bruce who had been John Balliol's principal competitor in 1290 (Table, p. 108), murdered his rival Comyn in the Grey Friars Church at Dumfries, and had himself crowned at Scone. But Edward possessed all the castles in South Scotland, and had no difficulty in driving Bruce into the Western Islands. In 1307 Bruce appeared again in the Lowlands, and Edward was marching northward to crush him, when he died at Burgh-on-Sands, near Carlisle.

CHAPTER XV.

EDWARD II., 1307–1327.

A. Personal History.—Born at Caernarvon, April 25, 1284; fourth, but eldest surviving, son of Edward I. by his first marriage; created Prince of Wales, 1301; succeeded his father as King of England, July 8, 1307; married Isabella, daughter of Philip IV. of France (*d.* 1358), January 28, 1308; crowned, February 25, 1308; deposed in Parliament, January 20, 1327; murdered at Berkeley Castle, September 21, 1327; buried at Gloucester. For family connections, see Table, p. 42.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Andronicus II. (1282–1328), assisted by his son Michael VIII. (1295–1320)	Henry VII. *Luxemburg* (1308)	Clement V. (1305)	Philip IV. (1285)	Robert I. *Bruce* (1306–1329)
		Vacancy (1314)	Louis X. (1314) Philip V. (1316)	
	Lewis IV. *Wittelsbach* (1314–1347)	John XXI. (1316–1334)	Charles IV. (1322–1328) *Last* Capetian	

C. Topics of the Reign.

(i) **International**: *relations with*—
(1) France: §§ 181, 186.
(2) Scotland: §§ 181–184.

(ii) **Constitutional.**
(1) Favourites: §§ 181, 182, 185.
(2) Parliament: §§ 182, 185, 186.
(3) Wales: §§ 184–186.
(4) Ireland: §§ 181, 184.

I. Edward II.'s Loss of Scotland, 1307–1314.

§ **181. Edward II. and Piers Gaveston, 1307–1309.**—Edward's eldest surviving son, Edward II., began his reign by setting at naught the dying injunctions of his father. He abandoned the war against Robert Bruce; and he recalled the favourite whose influence his father had, too late, discovered to be bad for the young Prince of Wales. Piers Gaveston, a Gascon knight possessing rather showy abilities, but quite devoid of moral principle, was made Earl of Cornwall, and placed in charge of the kingdom during Edward II.'s absence in France to do homage to Philip the Fair and marry his daughter Isabella (§ 177). One of the consequences of that visit was, that Edward II. in 1312 followed the example of

his father-in-law in confiscating the possessions of the Knights Templars, one of the orders of fighting monks which had sprung up during the Crusades (§ 118), and which was said to be using its wealth in unseemly ways. Meanwhile Gaveston's elevation had caused much discontent among the older barons, headed by the King's cousin, Thomas, Earl of Lancaster (Table, p. 42); and in 1308 they secured his dismissal. Edward sent him into an honourable exile by making him governor of Ireland (cf. § 244); but in 1309 he obtained the consent of his Council to Gaveston's recall.

§ **182. The Lords Ordainers, 1310–1312.**—Finding themselves unable to get rid of Gaveston, Lancaster and his following tried to deprive him of all control over the King's Government. In 1310 they secured the appointment in Parliament of twenty-one magnates—seven bishops, eight earls, six barons—whose business was to regulate the King's household. The Lords Ordainers, as they were called, drew up certain ordinances intended to provide for the due observance of the Charters, to prevent the alienation of the crown-lands, and to secure for Parliament, which was to meet at least once a year, a certain measure of control over both the selection and the conduct of the King's chief ministers. With the division of the *Curia Regis* into three divisions (§ 164), the Justiciarship had become unimportant; and the principal Officers of State were now the Chancellor and the Treasurer. Like the attempt of 1258 to control the King (§ 156), the *Ordinances* were oligarchical in tendency: they were drawn up by the baronial class for their own benefit; and they were ratified in 1311 by a Parliament of purely baronial complexion (§§ 149, 185). The Parliament which confirmed the *Ordinances* again banished Gaveston. When Edward recalled him in the following January, Lancaster took up arms and captured Gaveston at Scarborough, in May. Gaveston was being escorted southwards when he was seized by Guy, Earl of Warwick—whom he had nicknamed "the Black Dog of Arden"—and beheaded on Blacklow Hill, near Warwick. Edward was obliged to grant a formal pardon to those who had taken part in the murder of the friend, who, it was alleged, had "misled the King, turned away his heart from his people, and wrought all kinds of wrong-doing."

§ **183. Battle of Bannockburn, June 24, 1314.**—Despite the formal reconciliation, Lancaster and his party refused to assist Edward in the great expedition with which, in 1314, he set out to re-conquer Scotland. During his seven years' respite, Robert Bruce had gradually acquired all the Scottish strongholds, except Stirling

Castle. Stirling commands the direct line of communication between Highlands and Lowlands; and its importance is illustrated by the number of notable battles that have been fought in its neighbourhood. It was to relieve this last castle that Edward marched north in the summer of 1314; and it was almost under its walls that he fought a pitched battle with the Scottish King on June 24. Bruce drew up his troops along the Bannockburn in much the same way as Wallace had drawn up his troops at Falkirk—that is, in "schiltroms," or dense masses of spearmen interspersed with cavalry. But the result was wholly different: at Falkirk, Edward I. had broken the schiltroms by the long-bow, and shattered them, before they could re-form, by charges of mailed horsemen; at Bannockburn, Edward II.'s archers—for he himself was no warrior—never got near the Scots army. Bruce had protected his front with concealed pits and trenches; the English were entangled in these when they became panic-stricken at the sight of what appeared to be reinforcements, but were really camp-followers coming down on them from the height that has ever since been called Gillies' Hill. As Edward made no attempt to re-organize his army, the struggle for Scottish independence was practically won on the field of Bannockburn (§§ 169, 195).

§ **184. Scottish Attacks on the English, 1314–1318.**—Safe at home, Robert the Bruce proceeded to attack his beaten foes. Besides raiding the northern shires of England, he stirred up rebellions in Wales, and sent his brother Edward to essay the conquest of Ireland. Since Henry II.'s time the Anglo-Norman adventurers had obtained a tolerably firm hold over Leinster, which had been mapped out into counties and placed under English law. Owing to their distance from the Home Government, they were more free to follow their own devices than were the Lords-Marchers of Wales. The families of Burgh (or Burke) and Courci had also obtained a footing in Connaught and Ulster respectively; but they were engaged in constant struggles with the native Irish. Edward Bruce intervened in 1313 in the hope of erecting a Scottish supremacy on the feuds of native tribes and Anglo-Norman barons. He was ultimately defeated and slain at Faughard near Dundalk, in 1318; but the long struggle permanently weakened the English element in Ireland (§§ 124, 207, 274).

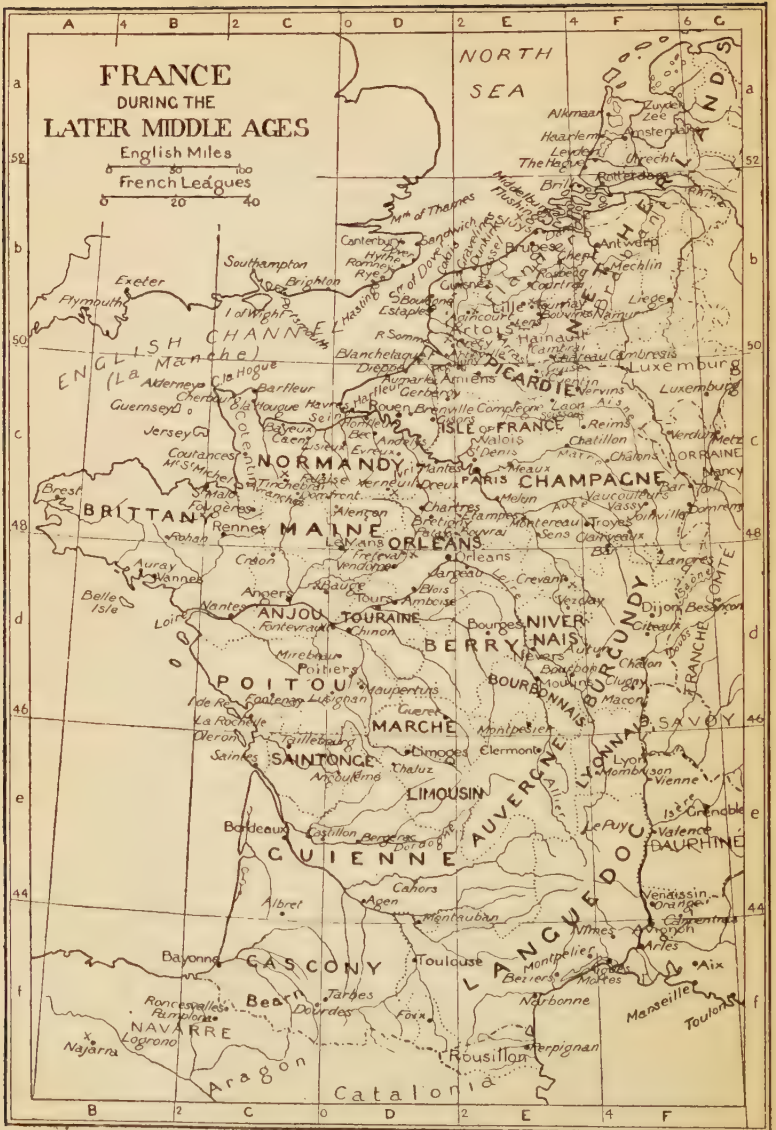
II. Edward II.'s Loss of England, 1314–1327.

§ **185. Lancaster and the Despensers, 1314–1322.**—For some years after Bannockburn, England was in almost as distracted

a condition as Ireland. Robert Bruce was raiding the northern counties, with the connivance of the Lancaster party. In September 1319, for example, Bruce inflicted a severe defeat on the Yorkshire levies in a battle where so many clergy fell that the fight was called the "Chapter of Myton." About the same time Edward II. took to himself new favourites in the persons of two men bearing the name of Hugh the Despenser, father and son. The Despensers were Lords-Marchers having hereditary feuds with their neighbours of the house of Mortimer. In 1321 the Despensers were exiled by Parliament; but in the following spring, Edward, roused by an insult to the Queen, took up arms, defeated the Mortimers, and recalled the banished Despensers. Then turning north he captured Lancaster in a fight at Boroughbridge on the river Ure, and promptly had him executed at Pontefract. Edward followed up his victory by holding a Parliament at York, in which not only the inferior clergy but also Wales were represented (§§ 163, 306). This Parliament repealed most of the *Ordinances* of 1311, on the ground that they had not received the sanction of the Commons (§ 150). This *Statute of York*, for purely party purposes, laid down the general principle—

"That all matters of State to be established for the estate of our lord the King and his heirs, and for the estate of the realm and of the people, shall be treated, granted, and established, in Parliament by our lord the King, and by the consent of the Clergy, Earls, and Barons, and the Commonalty of the Realm, according as hath been heretofore accustomed."

§ **186. Deposition of Edward II., January, 1327.**—In 1325 Edward sent his son over-sea to do homage for Guienne to the new French King, Charles IV. Queen Isabella accompanied her son, and while at the French Court she became attached to Roger Mortimer, the exiled enemy of the dominant Despensers. In September 1326, they returned together, bringing with them the young Prince of Wales, his uncle Edmund, Earl of Kent, and a small force of mercenaries. Landing at Orwell, in Suffolk, they were received gladly at London and Oxford: in a few months the Despensers were caught and killed, and the King was captured in Wales and imprisoned at Kenilworth. In January 1327, a Parliament held at Westminster deposed Edward II. on the ground that he had acted foolishly and extravagantly, had lost Ireland, Gascony, and Scotland, had injured the Church, and broken his Coronation Oath. His son was established in his place, and in the following September he himself was murdered at Berkeley Castle.


FRANCE
DURING THE
LATER MIDDLE AGES
English Miles
0 50 100
French Leagues
0 20 40
NORTH SEA
ENGLISH CHANNEL
(La Manche)
NETHERLANDS
Alkmaar
Zuyder Zee
Amsterdam
Haarlem
Leyden
The Hague
Utrecht
Rotterdam
Dordrecht
Brill
Flushing
Mouth of Thames
Middelburg
Canterbury
Sandwich
Dover
Hythe
Romney
Rye
Hastings
Brugges
Ghent
Antwerp
Mechlin
Liege
Exeter
Plymouth
Southampton
Brighton
I. of Wight
Boulogne
Etaples
Guines
Calais
Courtrai
Tournay
Lille
Namur
Arthois
Hainault
Cambrai
Blanchetaque
Dieppe
Augmarle
Amiens
Gerberoy
Harfleur
Rouen
Brionne
Compiegne
Laon
Soissons
Reims
Luxemburg
Alderney
Cherbourg
Barfleur
La Hogue
Havre
Caen
Bayeux
Isigny
Evreux
Bec
Andely
Meulan
Pontoise
Vernon
Mantes
Meaux
Paris
Melun
Provins
Chatillon
Chalons
Verdun
Metz
Nancy
Lorraine
Champagne
Guernsey
Jersey
Coutances
Mt St Michel
Avranches
Tinchebrai
Falaise
Argentan
Alencon
Chartres
Dreux
Brie
Montereau
Troyes
Vaucouleurs
Vassy
Joinville
Bar
Brest
Chateaubriant
Fougeres
Rochefort
Vitre
Laval
Mayenne
Mortagne
Nogent
Provins
Sens
Clairvaux
Langres
Rennes
Redon
Rohan
Craon
Auray
Vannes
Belle Isle
Angers
Nantes
Loire
Saumur
Vendome
Orleans
Jargeau
Gien
Clery
Montargis
Auxerre
Tonnerre
Semur
Beaune
Dijon
Besancon
Chateau Chinon
Nevers
Autun
Chalon
Macon
Lyon
Vienne
Grenoble
Valence
Le Puy
Montbrison
Clermont
Limoges
Thiviers
Perigueux
Bergerac
Agen
Cahors
Montauban
Toulouse
Carcassonne
Narbonne
Montpellier
Beziers
Nimes
Arles
Aix
Marseilles
Toulon
Orange
Avignon
Carpentras
Venaissin
Dauphine
Bourbonnais
Nivernais
Berry
Touraine
Anjou
Maine
Orleans
Normandy
Brittany
Poitou
Saintonge
Marche
Limousin
Auvergne
Lyonnais
Guienne
Gascony
Languedoc
Savoy
Franche Comte
Burgundy
Bearn
Navarre
Roncesvalles
Pamplona
Tarbes
Lourdes
Foix
Perpignan
Rousillon
Catalonia
Aragon
Najarra
Logrono
Albret
Bayonne
Rochelle
Saintes
Angouleme
Thiviers
Ile R.
Oleron
Guienne
Bordeaux
Castillon
Bergerac
Dordogne
Allier
Loire
Rhone
Saone
Isere
Durance
Ardeche
Gard
Herault
Aude
Tarn
Garonne
Lot
Dordogne
Vienne
Creuse
Cher
Indre
Allier
Yonne
Seine
Marne
Oise
Somme
Aisne
Meuse
Moselle
Rhine
Saone
Doubs
Rhone
Isere
Durance
Var
Ardeche
Gard
Herault
Aude
Tarn
Garonne
Lot
Dordogne
Vienne
Creuse
Cher
Indre
Allier
Yonne
Seine
Marne
Oise
Somme
Aisne
Meuse
Moselle
Rhine
Saone
Doubs
Rhone
Isere
Durance
Var

BOOK V.

THE HUNDRED YEARS' WAR, 1327–1485.

INTRODUCTION.

§ **187. Retrospect, 1216–1327.**—The main results of the three reigns which form the subject of our fourth book were the initiation of the long-standing alliance between France and Scotland—due to Edward I.'s premature attempt to effect the political unification of Britain—and the definite formation of Parliament, so far as its structure was concerned. From the accession of Edward III. to the passing of the *First Reform Act* in 1832, Parliament underwent numberless changes in respect of numbers, powers, privileges, and regularity of meeting, in the relations of its two "Houses" to one another, to the country at large, and to the Kingship, but its division into the two Houses of Lords and Commons has been permanent, and it has never been intermitted for more than a dozen years.

§ **188. Survey of the Period, 1327–1485.**—In the period of one hundred and sixty years upon which we are about to enter, the dominant feature in the history of Western Europe is the struggle between the monarchical and the aristocratical principles. From that struggle, on the whole, the monarchical principle emerged victorious. The Papacy, exhausted by its contest with the Emperors of the House of Hohenstaufen (1138–1254), became discredited by its servitude to France during its "Babylonish Captivity" at Avignon (1305–1378), and by the ensuing "Great Schism" between the Roman and the Avignonese claimants of the Papal tiara (1378–1417); but when the bishops and doctors of the Western Church tried to take advantage of the weakness of the Papacy and subordinate it to the control of General Councils, which were aristocratic in complexion (1402–1438), the Papacy contrived to sow dissensions among its would-be masters and to assert its own supremacy. Unfortunately for itself, it did not use its victory to set the Church in order; and this omission was the main cause of that renewal of the cry for ecclesiastical reform which dominates our sixth book (§§ 264–266). In France and Spain the monarchs struggled, and struggled successfully, against the attempts of the well-to-do classes to overpower them in their parliamentary assemblies; and in England the premature control of the government by the Parliament under the House of Lancaster (§§ 223, 226, 257) resulted in the establishment of a New Monarchy (§§ 261–263).

§ 189. The Hundred Years' War, 1338–1453 : (i) Causes.—The disputes about the Scottish Succession in Edward I.'s reign, became entangled in Edward III.'s reign with those long disputes about the French Succession which have been connected together under the convenient name of the Hundred Years' War. In both cases a contention which was in origin purely feudal and dynastic resulted in the growth or development of a strong sense of nationality. Philip VI., the first Valois King of France, wished to round off his dominions by taking into his own hands the duchy of Acquitaine, held by the King of England as his vassal, and also to strengthen his control over the earldom of Flanders. Similarly Edward III. desired to become the paramount power in Britain, by the vindication of his suzerainty over Scotland. Each King thwarted the other in his aims; their subjects rendered trade in the Narrow Seas difficult and dangerous by mutual acts of piracy; and in 1337 the strain became so great as to result in open war (§§ 197, 198).

§ 190. (ii) Stages.—The war begun by Edward III. lasted, with many a break and change of scene, down to the total expulsion of the English from French soil, Calais alone excepted, in 1453 (§ 246). Under Edward III. the war fell into three main divisions : the first, marked by the battles of Sluys in 1340 and Cressy in 1346, and by the capture of Calais in 1347, was brought to a close by the Black Death (§§ 197–202) ; the second, marked by the great fight at Poictiers in 1356, was formally closed by the *Treaty of Bretigny*, 1360 (§§ 205, 206) ; while the third was a mere series of raids and counter-raids, in which the Fabian tactics of Du Guesclin gave the French the advantage (§§ 208, 209). Richard II.'s French leanings and Henry IV.'s poverty made the war, if not the ill-feeling, to cease. Henry V. renewed the struggle, won the brilliant victory of Agincourt in 1415, and, thanks to the bitter strife of rival French factions, secured, in the *Treaty of Troyes*, 1420, the succession to the French throne (§§ 233–236). His death, two years later, left an infant son to face party struggles at home and the growth of a national spirit in France : working together, these causes ultimately swept the Lancastrians from not only the French throne they hoped for, but also the English throne they held (§§ 241–253).

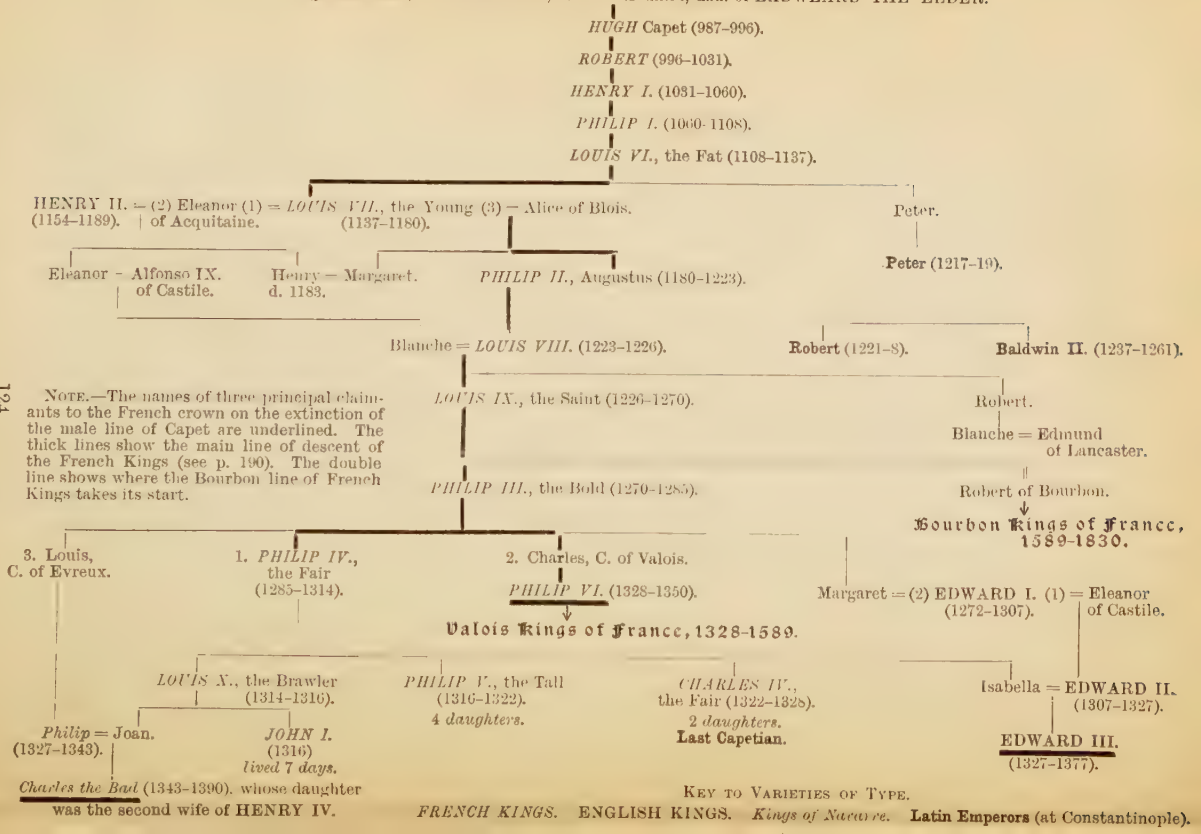
§ 191. (iii) Results.—The nett result of the whole series of wars, which have been called "barbarous national tournaments," was the formation of a united *France*, and the failure, for the present, of contemporaneous essays towards the formation of a united *Great Britain* (§§ 147, 148). The Hundred Years' War brought moral

deterioration, social distress, and political disorder to all the countries concerned during the periods of active fighting; but in both France and England it ultimately led up to the formation of strong centralized monarchies (§§ 261–263). As soon as France was freed from English threatenings and had put her house in order, she turned to a vigorous foreign policy on the Continent; while the loss of Continental possessions was one of the conditions without which England could never have become the colonial and maritime power which she began to be towards the close of the Tudor Period (§§ 265, 361).

§ **192. Growth of Parliament, 1327–1450.**—The Hundred Years' War, in its later stages, tended to destroy the power of Parliament, which had advanced by leaps and bounds during its earlier stages (§§ 200, 204, 207, 211). As we have seen (§§ 148–150), Parliament had been called into existence mainly for the purpose of filling the King's pockets; but having come into existence for his convenience, it remained for its own. At first called together to give money, because it was simpler to bargain with one body than with all the governing bodies of the country separately, Parliament proceeded to claim that it could refuse to give money, or could give it only on its own terms, to deny that extraordinary taxation, direct or indirect, could be levied without its consent (1297, 1362, 1371), and to keep an eye on the royal expenditure. It thus obtained an indirect control over the public administration, which it further increased by bringing the King's Ministers to account for what it chose to regard as misbehaviour (*e. g.* 1376, 1386, 1398, 1450), or even by changing the succession to the crown itself (1327, 1399, 1460). And in return for money-grants it secured first the royal promise of the redress of grievances, later the King's enactment of laws drafted by itself.

§ **193. Decline of Parliament during the Wars of the Roses, 1450–1485.**—Parliament probably reflected, as well as such bodies can, the mind of the thinking classes of the land; and the odds were that if a King satisfied his Parliament he was tolerably in accord with the national will. But its inability to establish any effective machinery for bringing its will to bear on the conduct of affairs, coupled with its constant and unwise intervention in foreign policy, was one of the causes of the loss of France. At the same time, it was discredited by its inability to check the disorders of the fifteenth century, and by the ease with which it could be manipulated by party leaders, during the Wars of the Roses (§§ 247–253). Hence it shared the ruin of the House of Lancaster. The Yorkist kings ignored and the Tudors controlled Parliament (§§ 257, 267, 280).

French Kings of the House of Capet.


Hugh the Great, D. of the Franks, d. 956 = Eadhild, dau. of EADWEARD THE ELDER.
HUGH Capet (987–996).
ROBERT (996–1031).
HENRY I. (1031–1060).
PHILIP I. (1060–1108).
LOUIS VI., the Fat (1108–1137).
HENRY II. = (2) Eleanor (1) = LOUIS VII., the Young (3) = Alice of Blois.
(1154–1189). of Acquitaine. (1137–1180).
Peter.
Peter (1217–19).
Eleanor = Alfonso IX. of Castile.
Henry = Margaret. d. 1183.
PHILIP II., Augustus (1180–1223).
Blanche = LOUIS VIII. (1223–1226).
Robert (1221–8).
Baldwin II. (1237–1261).
LOUIS IX., the Saint (1226–1270).
Robert.
Blanche = Edmund of Lancaster.
Robert of Bourbon.
PHILIP III., the Bold (1270–1285).
Bourbon Kings of France, 1589–1830.
3. Louis, C. of Evreux.
1. PHILIP IV., the Fair (1285–1314).
2. Charles, C. of Valois.
PHILIP VI. (1328–1350).
Margaret = (2) EDWARD I. (1) = Eleanor of Castile.
(1272–1307).
Valois Kings of France, 1328–1589.
LOUIS X., the Brawler (1314–1316).
PHILIP V., the Tall (1316–1322).
4 daughters.
CHARLES IV., the Fair (1322–1328).
2 daughters.
Last Capetian.
Isabella = EDWARD II. (1307–1327).
Philip = Joan. (1327–1343).
JOHN I. (1316) lived 7 days.
EDWARD III. (1327–1377).
Charles the Bad (1343–1390), whose daughter was the second wife of HENRY IV.
KEY TO VARIETIES OF TYPE.
FRENCH KINGS. ENGLISH KINGS. Kings of Navarre. Latin Emperors (at Constantinople).

NOTE.—The names of three principal claimants to the French crown on the extinction of the male line of Capet are underlined. The thick lines show the main line of descent of the French Kings (see p. 190). The double line shows where the Bourbon line of French Kings takes its start.

CHAPTER XVI.

EDWARD III., 1327–1377.

A. Personal History.— Born at Windsor, November 13, 1312; proclaimed King of England in his father's stead, January 25, 1327; crowned, January 29, 1327; married Philippa of Hainault or Hennegau (*d.* 1369), January 24, 1328; died at Sheen, June 21, 1377; buried at Westminster. For his descent, see Table, p. 42: for his large and important family, see Table, p. 144.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Andronicus II. (1282)	Lewis IV. *Wittelsbach*	John XXII. (1316)	Charles IV. (1322)	Robert I. (1306)
Andronicus III. (1328)	(1314)	Benedict XII. (1334)	Philip VI. *of Valois* (1328)	David II. (1329)
Joannes V. *Cantacuzene* (1342)	Charles IV. *Luxemburg* (1347–1378)	Clement VI. (1342) Innocent VI. (1352) Urban V. (1362)	John (1350) Charles V. (1364–1380)	
Joannes VI. *Palaeologus* (1355–1391)		Gregory XI. (1370–1378)		Robert II. *Stuart* (1371–1390)

C. Topics of the Reign.

(i) **International**: *relations with*—
- (1) Scotland: §§ 195, 196, 198, 201, 205.
- (2) France: §§ 197–199, 201, 205-6, 208, 209.
- (3) Brittany: §§ 201, 208.
- (4) Flanders: § 198.
- (5) Castile: §§ 208, 209.
- (6) Empire: § 199.
- (7) Papacy: §§ 204, 207.

(ii) **Constitutional**.
- (1) Church: §§ 200, 204, 210, 211.
- (2) Taxation: §§ 200, 202, 207.
- (3) Baronage: §§ 194, 203, 212.
- (4) Royal Family: §§ 195, 207, 209–212.
- (5) Navy: §§ 198, 199, 209.
- (6) Ministerial Responsibility: §§ 200, 211.
- (7) Ireland: § 207.

I. Edward III.'s first Ten Years, 1327–1337.

§ **194. Character of the Revolution of 1327.**—The events leading up to Edward II.'s deposition strike the keynote of English domestic history during the next century and a half. He was attacked and ultimately deposed by his cousins, Thomas and Henry of Lancaster;

the deposition was effected under constitutional forms in Parliament, which was controlled by the King in 1322, and by his enemies five years later; and the fortunes of the struggle turned largely on the private feuds of the great baronial families, like the Mortimers and the Despensers (§§ 185, 186, 193). The members of the royal house who led the rival parties owed their power not merely to their blood, but to their intermarriage with baronial heiresses: this method of providing for younger sons was begun by Henry III., and was continued, with fatal results to the peace of the country and to the safety of his dynasty, by Edward III. (§§ 213, 217).

§ **195. Mortimer's Rule during the Minority, 1327–1330.** —As Edward was only fifteen years of age at the time of his accession, the government was entrusted, by the Parliament that had placed him on the throne, to a Council headed by Henry of Lancaster, brother of the "martyred" Thomas (§ 185). The real power, however, was retained by Queen Isabella and her paramour, "the gentle Mortimer," who was created Earl of March. When the nature of their connection became suspected, they lost their popularity, and had chiefly to devote themselves to the task of keeping the power that they had won. In the autumn of 1327 Edward II. was brutally murdered by Mortimer's order, lest he should become a rallying point for the enemies of the Queen (cf. § 224). In March 1328 they agreed at Northampton to acknowledge the independence of Scotland, and to marry Edward's sister Joan to Robert Bruce's son, David: this arrangement was called the *Shameful Treaty*. Just two years later Isabella and Mortimer brought Edmund, Earl of Kent, the King's uncle, to the block for alleged conspiracy against the Government. Meanwhile, Lancaster was urging Edward, who married Philippa of Hainault in 1328, and who felt himself a man, to take the management of affairs into his own hands. In October 1330, therefore, Edward suddenly arrested Mortimer at Nottingham. He was found guilty of the murder of Edward II. and of betraying the kingdom to the Scots: he was executed, and his royal accomplice was confined to Castle Rising in Norfolk for the term of her natural life.

§ **196. Edward III.'s Dealings with Scotland, 1330–1338.** —It is during the early years of Edward III.'s personal rule (1332–3) that we first hear of the knights sitting apart from the barons, clerical and lay, in Parliament, and joining the burgesses and citizens in their parliamentary business (§ 150). This grouping of the estates into two Houses proved to be of transcendent importance in English history (§§ 187, 261); but at the time this change, adopted

not on grounds of political principle, but for purposes of practical convenience, attracted less attention than the renewal of succession troubles in Scotland. When the old King, Robert Bruce, died in 1329, his only son David was in his sixth year; and the succession of a minor naturally invited attack. This attack was led by a group of Anglo-Scottish barons who had lost their Scottish estates during the late troubles, and who were known as "the Disinherited." In August 1332 they landed at Kinghorn in Fife, and, defeating David's troops at Dupplin Moor, had John Balliol's son Edward crowned at Scone at the end of September. Edward Balliol's recognition of the English suzerainty cost him his crown before the end of the year. In 1333 he was restored by an English force under Edward III. himself, who defeated David's army at Halidon Hill near Berwick. But when Balliol paid for his English succour by the cession of Lothian, he was again expelled; and after a few years' struggle he gave up the attempt as hopeless in 1339. Two years later David Bruce returned to Scotland. He had an English wife (§ 195); but his kind treatment in France during his exile made him side against England in the war which had broken out between England and France (§§ 201, 205).

II. First Stage of the French War, 1337–1355.

§ 197. The French Succession Question, 1328–1338.— For three hundred and thirty years (987–1316) the French crown had descended regularly from father to son (Table, p. 124); and there had consequently been no necessity to fix what should be the rules of succession in case of the failure of the direct male line. But when Philip IV.'s eldest son, Louis X., died in 1316, without male heirs, it was possible to debate whether the crown should go to his daughter or to his brother; and on the death of Philip IV.'s third son, Charles IV., in 1328, it was similarly possible to debate whether the crown ought to go to his sister Isabella (wife of Edward II. of England), to his niece, or to the nearest male descendant, through males, of some earlier king. In each case it was the male, and the descendant through males, that carried the day; and this precedent has always been followed in France. This rule was practically the application, by the magnates or peers of France, to the French royal succession of a rule which had been followed centuries ago by the Salian Franks in settling the heirship of landed property: it was therefore called the *Salic Law*. In accordance with this law, when Charles IV. died in 1328, his cousin Philip of Valois was duly recognized as King of France under the title of Philip VI. To him Edward III. twice did

homage for his French possessions—with reservations during Mortimer's guardianship in 1329, and without reservations after he had taken charge of his own affairs in 1331. It was not till 1338 that Edward repudiated these acknowledgments by laying formal claim to the French crown.

§ **198. Causes of the Anglo-French War, 1338.**—Edward's assumption of the title King of France—borne, with intermission, by his successors until the year 1802—was not so much the cause as a consequence of war between England and France. Philip VI. had taken up the policy of his predecessors in harassing Guienne, in making alliance with the Scots, in encouraging his sailor subjects in their private wars with the English sailors of the Cinque Ports and the coast towns, and in making war on the Flemish cities which formed the chief mart for English wool (§§ 171, 172, 177). During the twelfth and thirteenth centuries, largely owing to the enterprise of the Cistercian monks, wool-raising had become one of the chief agricultural occupations in England ; and, in fact, throughout the Middle Ages, wool and woolfells (sheepskins) were almost the only article of commerce that England produced for export. Philip's intervention on behalf of the Count of Flanders in his struggle with the unruly but prosperous towns of Ghent and Bruges caused serious inconvenience to English trade, and adversely affected Edward's income. It was natural, therefore, that when the cause of the English candidate for the Scottish throne proved hopeless, Edward should transfer his interest to Flanders. The burgesses of the Flemish manufacturing towns, in their struggles against their immediate lord, appealed to his overlord the French King ; and as the Valois occupant of the French throne sided against them, they transferred their allegiance to Edward III., who, to satisfy the scruples of his allies, formally laid claim to the French crown in 1338. The outbreak of the Hundred Years' War thus illustrates the jostling together of the mediæval spirit of feudal legality and the modern spirit of commercial self-interest.

§ **199. Battle of Sluys, June 24, 1340.**—Edward's first three campaigns in Flanders were expensive but not successful. He spent large sums in subsidizing James van Artevelde, the Ghent merchant who guided the councils of the Flemish burgesses, and the Emperor Lewis IV., who was engaged in a fierce struggle with the "French" Pope at Avignon (§ 188). But he profited very little by his allies ; and the only great success of the early years of the war was due to the skill and courage of his own sailors, who, in June 1340, utterly

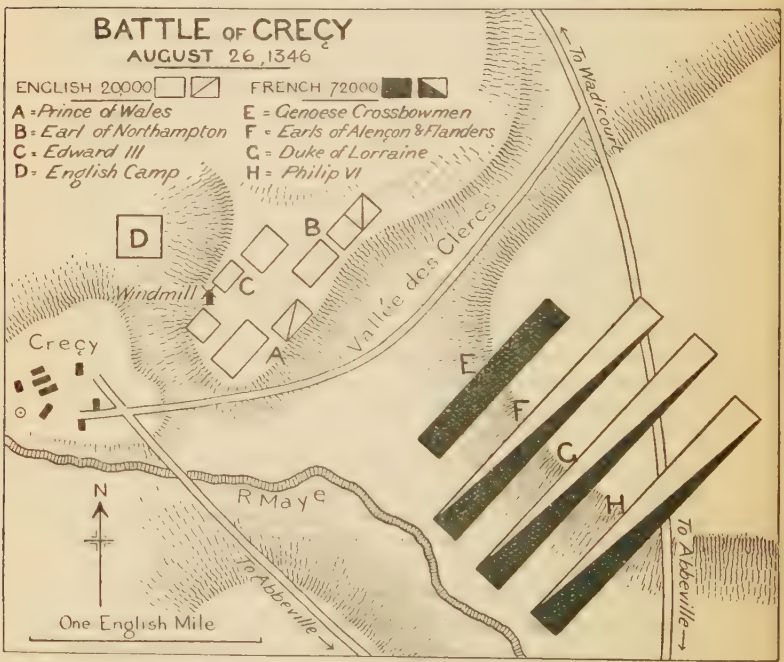
destroyed the French fleet lying off the harbour of Sluys. This victory, at which Edward III. himself was present, not only put a stop to such raids as the French had successfully made in 1338 on Portsmouth and Southampton, but also vindicated the claims which English kings had lately put forth to the sovereignty of the Narrow Seas (§ 430).

§ **200. Constitutional Changes, 1340–1343.**—In September 1340, Edward concluded the *Truce of Esplechin*, which was continued till 1345, and hastened over to England to find out why he had been kept short of money. Suspecting peculation, he dismissed his Chancellor—John Stratford, Archbishop of Canterbury—and other officers. In refilling the vacant offices he gave preference to lay over clerical persons: Stratford's successor, Robert Bourchier, was the first layman to hold the originally ecclesiastical post of Chancellor (§ 119). Edward's dismissal of the Archbishop involved him in a quarrel, which resulted in the establishment of the constitutional principle that lords spiritual and temporal were entitled to demand trial by their fellow peers. This was settled in 1341, and at the same time Edward purchased grants of money from Parliament by making certain extensive promises, which he immediately repudiated, and which Parliament itself annulled in 1343. The conditions thus promised and cancelled were designed to secure the responsibility of the King's ministers not only to the King, but also to the King's extraordinary advisers in Parliament assembled (cf. §§ 192, 211, 245, 365):—

(1) That the chief ministers be appointed with the assent of Parliament.
(2) That on appointment they should be sworn to keep the law.
(3) That, at each successive Parliament, they should formally resign their offices, submit their accounts to parliamentary audit, answer complaints as to their official conduct, and not till they had successfully passed these ordeals should they be eligible for re-election.

§ **201. The Campaign and Battle of Crecy, 1346.**—During the continuance of the truces (1340–5), Edward III. took part in the War of the Breton Succession, helping John of Montfort against Charles of Blois, whom the French King desired to make Duke of Brittany. In 1345 the direct attack of Philip VI. on Guienne re-commenced. Despite a victory gained by Henry, Earl of Derby, at Auberoche, in June, his attacks were so successful that Edward resolved to go in person to relieve his subjects in the following year. On his way he was persuaded by Sir Godfrey of Harcourt to substitute an offensive operation for a defensive operation, and draw the

attention of the French from Gascony by making an attack on Northern France. Accordingly, he landed at La Hogue in July 1346 and marched through Normandy, apparently more intent on plunder than on any definite plan of campaign. He crossed the Seine at Poissy and the Somme at Blanchetaque near its mouth; and, being now arrived in Ponthieu which he held to be his family property, he awaited the arrival of the much larger army with which Philip VI. had been unsuccessfully pursuing him. He took up a position near



the village of Crecy, and there he was attacked by Philip's troops on the afternoon of August 16. Thanks mainly to his archers, Edward won a decisive victory. He then laid siege to Calais, which yielded after nearly a year's resistance, in August 1347. Meanwhile, Edward's officers had defeated and captured the Scottish King David II., in a battle at Neville's Cross (October 17, 1346). Content with these victories, Edward made a truce in 1347; and this truce was prolonged for nearly eight years (§ 205).

§ **202. The Black Death, 1348.**—This long break in the war was due not only to the exhaustion of the combatants, who had no resources for the continuous prosecution of war or any other enterprise on a large scale, but also to the frightful ravages of an unusually severe epidemic, which reached Western Europe from the East in the course of the year 1347–8. Such outbursts of disease were common enough in the Middle Ages, when there was no sanitation, and when whole populations were liable to be weakened by such famines as were frequent in England during the reign of Edward II. But this particular epidemic was so exceptionally severe that the men of the day called it "the Great Pestilence": in England alone it killed off between one-third and one-half of the then population of about 4,000,000. Its chief marks were the spitting of blood and the appearance of hard boils and dark blotches all over the body; and it seldom took more than two days, often no more than two hours, to kill its victim. The Black Death not only made war impossible for a few years, but also, like all such plagues, it had an immediate demoralizing effect upon society. It also had enduring economic effects: by decreasing the number of labourers, it sent up the rate of wages, and so forced landlords to make ineffective efforts to restore old rates by law and generally to deal hardly with their peasants (§§ 214–216). The repressive legislation was first embodied in *Ordinances*—that is, enactments put forth by authority of King and Council—and was later re-issued with parliamentary sanction as the *Statute of Labourers* (1351).

§ **203. Statute of Treason, 1352.**—The *Statute of Labourers* was only one of several legislative attempts made, during the years of truce, by the classes possessing political authority in England, to protect themselves against what they held to be encroachments on their privileges or position. In 1352 the baronial class, which had suffered much from arbitrary judicial interpretation of the vague and elastic crime of treason—*i.e.* breach of the oath of allegiance to the King—sought to define its limits in the *Statute of Treason:* of the seven points specified in the Act the most important were, compassing the death of the King, Queen, or heir-apparent, violating the honour of the King's consort, levying war on the King, and murdering the King's judges while engaged in the performance of their official duties.

§ **204. Statutes of Provisors and Praemunire, 1351–1353.**—Almost more characteristic of the time were two Acts which endeavoured to safeguard the King and the laity generally from the

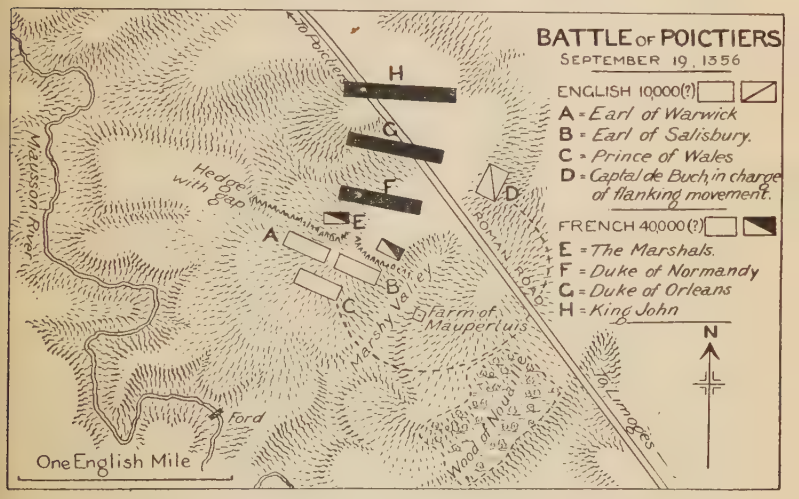
more recent forms of Papal exactions (cf. §§ 155, 179). The *Statute of Provisors*, first passed in 1351, and afterwards re-enacted in a revised form in 1391 (§ 219), was meant to check the Pope's interference with the rights of patrons, especially the practice of "providing" successors to ecclesiastical benefices when they should fall vacant, and "reserving" a varying number of benefices in each diocese for his own nominees. The *Statute of Praemunire*, first passed in 1353, and repeated in 1393, etc. (§§ 219, 292), was designed to restrain the growing practice of carrying appeals from the English ecclesiastical courts out of the country—*i. e.* to the Papal Curia. Both these Acts proceeded not so much from any objection on principle to the Papal patronage, or to the Papal jurisdiction, as from a sense that that jurisdiction and patronage was abused by excessive use, and by the French partialities of the Avignonese Papacy (§ 188).

III. Second Stage of the French War, 1355–1360.

§ **205. Battle of Poictiers, September 19, 1356.**—On the expiry of the long truce in 1355, the theatre of war was transferred to Southern France. In 1355 Edward "the Black Prince," who had borne the brunt of the fighting at Creçy, led a plundering expedition from Bordeaux through the fertile province of Languedoc. In the following year he conducted a similar inroad northwards from Bordeaux, but on his way back he was intercepted at Poictiers by the French King John with an army six times as numerous as his own. As at Creçy, the generalship was all on the side of the numerically weaker force: the English archers threw the attacking Frenchmen into disorder, and a well-timed charge of mounted knights converted the disorder into complete rout. King John and many of the principal nobles of France were made prisoners, and in 1357 the Black Prince made a truce for two years and returned with his royal captive to England. At the same time Edward III. endeavoured to conciliate Scotland by releasing David Bruce without exacting homage for his kingdom (§ 201).

§ **206. Treaty of Bretigny, May 8, 1360.**—The truce brought no rest to France; its rulers were at variance; the disbanded soldiery were plundering the land; and the peasants rose against their oppressors in the savage riots called the *Jacquerie* (cf. § 215). In 1359 Edward resolved to take advantage of all this misery to bring the war to a close. He ravaged the country lying between the Seine and the Loire, until he was smitten with remorse at the

harm he was doing, and offered more moderate terms of peace than he would previously accept. The *Treaty of Bretigny* arranged that Edward was to abandon his claim to the crown of France and to the possessions of Henry II.'s father and mother (§ 115), in return for the cession, not as a fief but in full sovereignty, of all Acquitaine, Calais and Ponthieu. It was also stipulated that King John should be ransomed for 3,000,000 gold crowns; but being unable to raise so large a sum he returned to England, and died in captivity, 1364.



IV. Third Stage of the French War, 1360–1377.

§ **207. Illustrations of English National Character, 1360–1366.**—The six years of comparative peace which followed the *Treaty of Bretigny* were mainly occupied with domestic reforms. In 1362 it was definitely enacted in Parliament that duties on wool and other goods should be imposed, not by the consent of the merchant class alone, as had been done by Edward III. for his own convenience, but only by the consent of Parliament as a whole: this Act, which was confirmed in 1371, practically completed *Confirmatio Cartarum* (§ 175) by bringing all kinds of indirect taxation under parliamentary control. In the same year the English language was ordered to be used instead of French in the law-courts. This change, accompanied as it was by the substitution of English for

French as the literary language of Englishmen, was a striking indication of the way in which the long struggle with France was forming and fixing a sense of English nationality (§ 138). The same feeling of the self-sufficiency of England underlay the resistance to the French Papacy as expressed in the Acts of 1351 and 1353 (§ 204), and in the formal repudiation (1366), after thirty-three years' intermission of payment, of the tribute promised at John's submission to the Papacy (§ 140). So too the chief feature of the important if fruitless *Statute of Kilkenny*, which Edward's son Lionel, Duke of Clarence, passed through the Irish Parliament in 1366, was the attempt to check the Englishry from adopting the "barbarous" dress, language, and customs of the native Irish (§ 184). All these things were signs of the times: they showed that the English, compelled to act together against "foreigners," were falling in love with their own ways and their own speech, and putting on that exclusiveness and insularity which are commonly regarded as typical of the national character.

§ **208. The Black Prince's Spanish Expedition, 1367.**—The *Treaty of Bretigny* effected only a partial peace between England and France: it was never ratified in due form, and the French King was only biding his time to reassert his rights over Acquitaine. Two minor wars in the sixties led up to the renewal of the direct war in 1369 (§ 209). In 1364 the Breton War was brought to a close by the death of the French candidate at the battle of Auray and the consequent acquisition of the duchy by John of Montfort (§ 201). In 1367 Edward the Black Prince, who had been created Duke of Acquitaine by his father, intervened in the affairs of the kingdom of Castile. Peter the Cruel had been expelled from that kingdom, with the help of French troops, by his illegitimate half-brother, Henry of Trastamare. Moved partly by considerations of chivalry towards royalty in distress, partly by considerations of policy, Edward undertook Peter's restoration. He marched over the Pyrenees, defeated Henry of Trastamare in a battle at Navarete or Najara, near Vittoria on the upper waters of the Ebro, April 3, 1367, and replaced Peter on the throne. Henry was restored with French help in the following year; and the principal effect of the Black Prince's expedition was the ruin of his health and the shattering of his finances. To pay the expenses of the war he had to raise heavy taxes in his duchy; and the consequence was the revolt of Acquitaine in 1369.

§ **209. Renewal of the Anglo-French War, 1369–1375.**—The discontented men of Acquitaine appealed to the French King,

Charles V., as to their rightful overlord ; and Charles summoned the Black Prince to answer the accusations of his vassals. The Black Prince lost his temper, and still further estranged his subjects by such cruelties as the massacre of nearly three thousand non-combatants on the capture of Limoges in 1370. In the following year he returned home, and his place was taken by his younger brother, John of Gaunt, Duke of Lancaster. John had the disadvantage of attempting to hold a distant and discontented dependency of a country which had lost command of the sea. In 1350 the English had repeated their success at Sluys by winning a great naval battle off Winchelsey, which is known from the swarms of Spaniards among the conquered as Lespagnols-sur-Mer : in 1372 the fruits of this victory were lost through the Earl of Pembroke's signal defeat by a Franco-Spanish fleet off La Rochelle. When, therefore, Duke John wanted to take reinforcements to Acquitaine in 1372 he dared not undertake the long sea-voyage, but marched overland from Calais. The result was that he reached Bordeaux with an army which was so exhausted from lack of food, and weakened by straggling skirmishes, that it brought no strength to a losing cause. By the advice of Bertrand du Guesclin, Constable of France, the French refused to fight pitched battles in which they would probably lose, and contented themselves with capturing the towns and castles that held out for the English, and with cutting off the English food supplies. By these cautious proceedings they had reduced Edward III.'s possessions in France to the immediate neighbourhood of Bordeaux, Bayonne, and Calais, when the fighting was brought to a close in 1375 by the *Truce of Bruges.*

§ **210. John of Gaunt and John Wyclif, 1369–1375.**—Edward III.'s last years were inglorious at home as well as abroad. After the death of Queen Philippa—whose good influence is illustrated by the well-worn story of her pleading for the lives of the citizens of Calais—he fell under the sway of Alice Perrers, a woman of whom no contemporary has a good word to say. She practically took the control of affairs from the hands of the prematurely aged king ; and it was with her help that John of Gaunt secured the dismissal in 1371 of William of Wykeham, Bishop of Winchester, and the other clerical ministers of Edward III. (cf. § 200). John had also the support of quite a different kind of ally in the person of John Wyclif, an Oxford theologian who had gradually come to believe that the existing abuses in the Church were not to be eradicated without a fundamental alteration in the principles of the

mediæval Church. There were many powerful thinkers and considerable freedom of thought in the Middle Ages; but, then as now, there were a number of principles generally taken for granted which it was regarded as wicked and revolutionary to call in question. When Wyclif began to criticize the theological first principles which had received the authoritative sanction of the Church, he was compared to the enemy who sowed tares in the wheat-field of Christ's truth (*S. Matthew* xiii., *vv.* 24–30), and he and his disciples were nicknamed Lollards (Latin, *lollia* = tares). Wyclif attacked the wealth and worldliness of the clergy, because he thought they were bad for the Church: John of Gaunt supported him because he coveted the wealth and envied the political power of the clergy. As a result of this alliance with the King's mistress and the religious reformer, John of Gaunt held the reins of state for the last five years of the French war.

§ **211. The Good Parliament, 1376.**—When John returned from France, he had to face the opposition of various parties which disapproved of his doings and of his allies. Edward the Black Prince had reason to suspect that John was aiming at the throne, to the exclusion of himself or of his young son Richard; the official clergy were eager to strike a blow at Wyclif, whose advocacy of ecclesiastical reform laid him open to charges of heresy; and all kinds of tax-payers had grievances against a Government which was at once extravagant and unsuccessful. These various lines of resistance were taken up by the "Good Parliament" in 1376. Its positive legislation was short-lived (§ 212), but its mode of attack on the King's ministers became a precedent. The county juries had long been in the habit of presenting criminals to the King's judges (§ 129): following this example the Commons, who were a "concentration" of county juries (§ 173), presented Lord Latimer, Lord Neville, and others for trial before the Lords on the charge of peculation and fraud in the management of the public finances. This method of securing the responsibility of ministers to Parliament is called *impeachment* (§ 192).

§ **212. Death of Edward III., 1377.**—The Good Parliament was still sitting when the Black Prince died in June 1376; and it at once procured the recognition of his son as the future king. John of Gaunt was able to secure control of the next Parliament, and to reverse most of the proceedings of the Good Parliament; but he did not venture to set aside the recognition of Richard as King when Edward III. followed his eldest son to the grave in June 1377.

CHAPTER XVII.

RICHARD II., 1377–1399.

A. Personal History.—Born at Bordeaux, April 13, 1366; son of Edward III.'s eldest son, Edward—who was successively created Duke of Cornwall (1336), Prince of Wales (1343), and Duke of Acquitaine (1362); succeeded his grandfather as King of England, June 22, 1377; crowned July 16, 1377; married (*a*) Anne of Bohemia, daughter of the Emperor Charles IV. (*d.* 1394), January 1382; (*b*) Isabella, daughter of Charles VI., King of France (*d.* 1409), September 1396; no issue; compelled to abdicate, September 29, 1399; probably murdered in Pontefract Castle, early in 1400; body, said to be his, buried first at Langley and afterwards in Westminster Abbey. For his uncles and other family connections, see Tables, pp. 42, 144.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.		France.	Scotland.
House of **Palaeologus**	*House of* **Luxemburg**	*Great Schism, 1378–1417* **Rome**	**Avignon**	*House of* **Valois**	*House of* **Stuart**
Joannes VI. (1355)	Charles IV. (1347)	Urban VI. (1378)	"Clement VII." (1378)	Charles V. (1364)	Robert II. (1371)
Manuel II. (1391–1425)	Wenzel (1378–1400)	Boniface IX. (1389–1404)	"Benedict XIII." (1394–1424)	Charles VI. (1380–1422)	Robert III. (1390–1406)

C. Topics of the Reign.

(i) **International**: *relations with*—
- (1) France: §§ 213, 219.
- (2) Flanders: § 213.
- (3) Brittany: § 213.
- (4) Castile: §§ 216, 219.
- (5) Papacy: §§ 219, 222.
- (6) Scotland: § 219.

(ii) **Constitutional**.
- (1) Church: §§ 214, 216, 219, 222.
- (2) Royal Family: §§ 213, 215, 217–222.
- (3) Villanage: §§ 214, 215.
- (4) Parliament: §§ 213, 215, 217–220, 222.
- (5) Ireland: §§ 219, 221.
- (6) Wales: §§ 220, 221.

I. Richard II.'s Minority, 1377–1389.

§ **213. Difficulties of Richard's Government, 1377–1381.**—Richard II. was in his twelfth year when he succeeded his grandfather in June 1377. His youth and the known divisions among his counsellors encouraged attack; and throughout the summer the

south coast of England was being harried by French sailors. The pressure of these dangers brought about a formal reconciliation of the party leaders: John of Gaunt was reconciled with William of Wykeham, and the trial of Wyclif for heresy was allowed to drop for the moment (§§ 211, 216). The young King was placed under the personal charge of his mother, Joan of Kent; and the administration of public affairs was entrusted by Parliament to a Council of nine magnates. From this Council the King's uncles—John, Duke of Lancaster, Edmund, Earl of Cambridge (created Duke of York in 1385), and Thomas, Earl of Buckingham (created Duke of Gloucester in 1385)—were excluded, lest they should quarrel among themselves for the leadership; but John of Gaunt, the oldest and most experienced of the three, had great influence over the Council. The chief difficulty of the Government was to find money for the various defensive and offensive operations necessitated by the renewal of the French war, at sea, in Brittany, and in Flanders. These difficulties led to the adoption of some notable experiments in finance. In 1377 the parliamentary money-grants were committed to the charge of two members of the House of Commons, Walworth and Philipot, and were specially "appropriated" to the war. In 1379, and again in 1381, the ordinary sources of revenue were supplemented by the imposition of a graduated poll-tax, *i.e.* a tax of so much per head on all persons, the amount varying with the rank and supposed wealth of the payer. The second poll-tax was the immediate cause of the complicated insurrection known as the Peasants' Rising (§ 215).

§ **214. The Development of Villanage.**—The peasants, *ceorl* and *theow*, free and unfree, of early English times had fallen, with the establishment of a feudal land-system in the eleventh century (§§ 42, 66), to one or other of the innumerable forms of villanage: that is to say, they had become serfs, tied to the land, and bound to do whatever was required of them by the lord of the *vil* (manor or township). Despite the efforts of the lawyers to reduce them to the "rightlessness" of the Roman *servus* (*slave*), the villans had risen, by the middle of the fourteenth century, to a condition of practical freedom. For the sake of convenience of management, they had been successively allowed fixity of the services which they rendered for their holdings; and these labour-services had been, again for convenience' sake, commuted for a money-rent (cf. § 117). Partly through the influence of the Church, which discouraged slavery partly under the working of the economic causes which always tend to substitute money-payments for the primitive system of barter, the

villans had thus emerged from serfdom into the condition of free labourers. So long as they paid a certain rent—fixed, not by competition but by custom, at about sixpence an acre—they could not legally be ejected from their holdings; they could supplement the livelihood they gained in cultivating their own land by wages earned from the lord of the manor or any of their wealthier neighbours; and they had some measure of liberty to migrate from their home in search of employment (cf. § 121). The Black Death, which broke out at intervals between 1348 and 1369 (§ 202), upset this quiet development of the peasantry. Labour became scarce, and the labourers consequently refused to work at the traditional wage. The landowner class endeavoured to meet this difficulty by passing *Statutes of Labourers* which fixed the scale of wages, and made it a criminal offence to be a vagabond wandering in search of employment; and they also sought to enforce all labour-services that had not been commuted. The misery of the peasantry under these circumstances has been depicted and brought into connection with the other social evils of the time, in the contemporary English poem (1362–1390) of William Langland—*Piers the Plowman.*

§ **215. The Peasants' Rising, June 1381.**—It was not wholly the peasants' grievances that caused the Peasants' Rising. That sudden uprising was produced by various grievances, felt by different classes and in different localities. The men of Kent were set against the government of John of Gaunt; the villan classes were desirous of checking attempts made by the lords to thrust them back into a condition of serfdom; the artisans of the towns wished to lessen the trade-restrictions imposed by the gilds (§ 135). These and other causes found champions in the disbanded soldiers wandering about the country, organizers in the "poor priests" of Wyclif and his more radical disciples, and an occasion in the heavy poll-tax of 1381. The movement broke out simultaneously in several southern shires; and various hosts marched on London, the gates of which were opened by sympathizers within the walls. The murder of a few unpopular officials, including Archbishop Simon of Canterbury, caused dismay among the ruling class; but the young King kept his head. On June 14 he met the men of Essex, who had marched up to Hampstead under the leadership of Jack Straw, at Mile-End, and induced them to disperse by promising redress of their grievances, which were chiefly agrarian. On the following day he met the more violent men of Kent at Smithfield; and in the course of the interview the Kentish leader, Wat Tyler, was slain by the King's

attendants. Richard at once rode forward among the leaderless mob, before they had time to fulfil their threats of vengeance, assumed the leadership, and promising redress to them also, drew them out of the city and sent them home. "I have this day," he told his mother afterwards, "saved my heritage of England which I had lost." Richard II.'s character has been variously interpreted; but his conduct at Smithfield and his comment upon it show that he possessed courage, presence of mind, and political insight. These qualities, however, did not enable him to prevent Parliament from cancelling his pardon and other concessions to the insurgents. The landowners controlled both Houses of Parliament, and punished the "lower classes" who had frightened them; but in time they practically conceded, as individuals to individuals, the points which they collectively declined to concede to the workers in combination.

§ 216. The Lollards and the Peasants' War, 1381–1384.—Among the results of the Peasants' Rising were a renewed attack on Wyclif, and the temporary withdrawal of John of Gaunt from English politics. Some of the insurgent leaders, notably John Ball, had promulgated ideas of the kind which we now-a-days call "socialistic"; and these ideas were largely drawn from the English tracts which Wyclif produced during his later years. Wyclif himself had not countenanced all the deductions made by his followers (§ 210); but it was convenient to make him a scapegoat. He was found guilty of heresy by an ecclesiastical synod held at the Blackfriars in London in 1382; but he was suffered to retire to his rectory at Lutterworth in Leicestershire, where he died at mass in 1384. In the following year, Wyclif's former ally, John of Gaunt, who had learnt his unpopularity by the bitterness of the insurgents of 1381 against him, diverted his ambitions from England to Spain, where his second marriage with Peter's daughter Constance had given him claims on the throne of Castile (§ 208: Table, p. 190).

§ 217. Struggle between Richard and his Relations, 1381–1387.—Meanwhile Richard II. was gathering round him personal friends who should be able to protect him from the domination of his uncles (cf. §§ 137, 181, 258): the chief of them were Michael de la Pole, a Hull merchant whom he made Lord Chancellor in 1383 and Earl of Suffolk two years later, and Robert de Vere, Earl of Oxford, whom in 1385 he made Marquess (a new title) of Dublin. In the absence of John of Gaunt, his younger brother, Thomas of Gloucester, put himself at the head of the baronial party which thought it had a better right to Richard's favour than these "favourites." In October

1386 Gloucester and his friends obtained control of Parliament, contrived the impeachment of Suffolk, and appointed a Council of Eleven to manage public affairs for a year. It was a repetition of the old devices of the Lords Ordainers against Gaveston (§ 182); but Richard and his friends were made of better stuff than Edward II. and his friend. Richard had to give way for the moment; but early in 1387 he again took Suffolk into his counsels, went on a royal progress through the country in quest of popularity, and obtained from his judges an opinion that the baronial commission was illegal (§§ 374, 393, 481). Gloucester and his party met the King's appeal to law by an appeal to arms: in December their victory over Robert de Vere, now Duke of Ireland, at Radcot Bridge on the Upper Thames, gave them the control of the political situation.

§ **218. The Merciless Parliament, 1388.**—Gloucester had four chief allies :—Henry, Earl of Derby, son of Lancaster; Richard FitzAlan, Earl of Arundel; Thomas Mowbray, Earl of Nottingham; and Thomas Beauchamp, Earl of Warwick. In February 1388 these five men gathered in the King's name a parliament favourable to their side, and there "appealed" (or accused) of treason a number of Richard's partisans: hence they are known as the Lords Appellants. This "Merciless" or "Wonderful Parliament" condemned many of Richard's friends, some of whom were caught and executed, and endeavoured to secure the permanency of its acts by prescribing heavy penalties against all who should attempt to reverse its proceedings (§ 220). The main significance of these measures lies in their illustration of the extent and virulence of family feuds among the noble families of the realm, of the importance attached to the approval of Parliament, and of the ease with which Parliament could be manipulated for party purposes (cf. § 212).

II. Richard II.'s Personal Rule, 1389–1398.

§ **219. Richard's Constitutional Rule, 1389–1397.**—In May 1389 Richard quietly told his council that, as he had come of age some time since, he considered himself old enough to manage his own affairs. He dismissed the ministers thrust upon him by the Lords Appellants; but having thus asserted his power he took some of them back again. This conciliatory attitude—due partly to the influence of his wife Anne of Bohemia and of John of Gaunt, who had just returned from Spain a sadder and a wiser man—lasted for the next eight years. This was a period of peace and efficient government. Abroad, Richard entered into the security obtained

under the Lords Appellants by Arundel's naval victories in 1387, and by the death of the Scots Border lord, James, Earl of Douglas, in the famous fight of Chevy Chase at Otterbourn in 1388. At home, he not only governed well, but also tried to enforce various laws which had been generally evaded: for instance, the statutes of *Provisors*, *Praemunire*, and *Mortmain* were re-enacted in the years 1391–1393 (§§ 167, 204). Richard showed his interest in Ireland not only by a long and sympathetic visit in 1394, but also by committing it to the care of Roger Mortimer, Earl of March, whom he had named his heir in 1385 (Table, p. 144). Most of Henry II.'s successors had neglected Ireland in order to be free to seek military glory on the Continent: Richard II., on the contrary, deliberately chose the opposite course by making a twenty-five years' truce, cemented by a marriage alliance, with France in September 1396.

§ **220. Richard's Vengeance on the Appellants, 1397–8.**—Richard's marriage with Isabella of France formed a turning-point in his career. His visit to France increased his love of display and enhanced his already high conception of his Prerogative: his peace-policy gave umbrage to the war-party, which included most of the Lords Appellants. In January 1397 Thomas Haxey, a clerical member of the House of Commons (§ 150), made a complaint about the King's extravagance. Gloucester followed up Haxey's attack—of which he was probably the instigator—by telling his nephew that he was a sluggard for not prosecuting the French war. There were variours rumours of conspiracy in the air; and Richard resolved this time to strike the first blow. Gloucester was seized and sent to Calais, where he suddenly died—probably by violence and at Richard's orders; Arundel was executed, and his brother Thomas FitzAlan, Archbishop of Canterbury, sent into exile; Warwick was banished to the Isle of Man. The remaining two Appellants—Derby and Nottingham—were not only spared but even taken into favour: they were created Dukes of Hereford and Norfolk respectively, and the pardon for their doings in 1387–8 was confirmed. Richard also took pains to secure the usual parliamentary sanction. One Parliament, sitting in an open shed at Westminster in the presence of royal archers with bows bent for action, annulled the proceedings of the Merciless Parliament (§ 218). Four months later, in January 1398, the same Parliament sitting at Shrewsbury—on the borders of Wales, where Richard was always popular—made Richard a life-grant of the customs-dues called Tunnage and Poundage (§ 383), and delegated its powers to a permanent committee of eighteen members

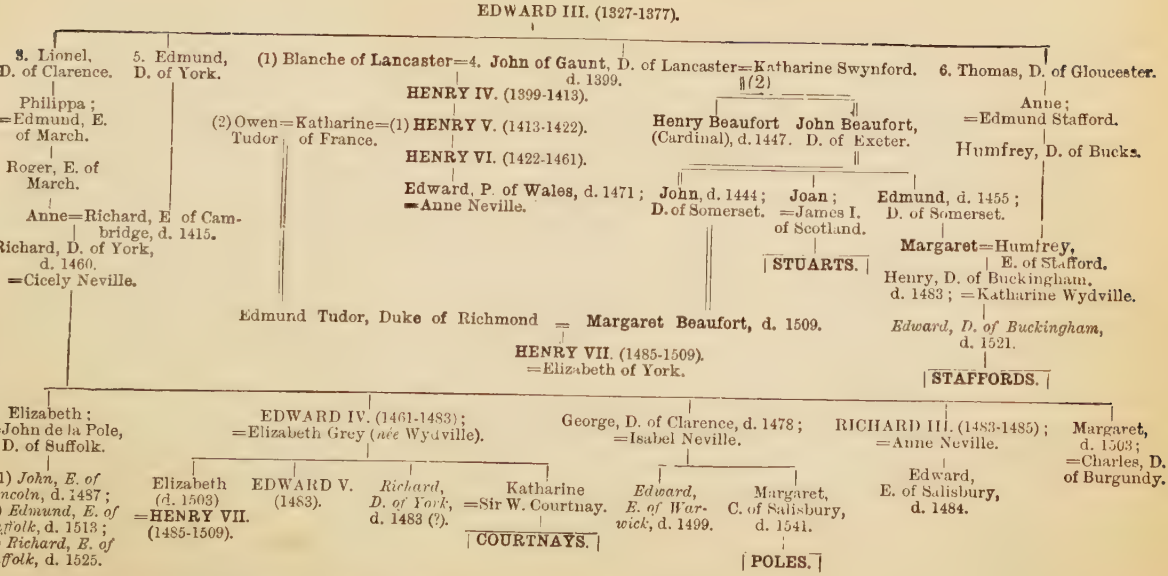
—all devoted adherents of the King. In September, Richard banished Hereford and Norfolk, for ten years and for life respectively: they had been telling tales about each other's treasonable designs, and the King seized the opportunity of getting rid of them both.

III. The Lancastrian Revolution, 1399.

§ 221. The Return of Bolingbroke, July 1399.—Henry of Bolingbroke, Duke of Hereford, met Archbishop Arundel in his exile; and together they plotted a counter-revolution. The pretext came when, on John of Gaunt's death in February 1399, Richard seized his estates instead of fulfilling his promise to allow them to pass to Henry. The opportunity came when Richard went over to Ireland in May to punish the Irish tribes that had been concerned in the murder of his heir and Lord-Deputy, the Earl of March (§ 219). In July, Bolingbroke landed at Ravenspur in Holderness, saying that he had come only to make good his claim to the Lancaster estates. His gallant exploits in his recent crusades against the Turks and Prussians, had made him popular; and his repeated assertions that he had come only on family business stilled the alarm of Richard's friends. The sole surviving son of Edward III., Edmund, Duke of York, who had been left in charge of England by his nephew, was among those who took Bolingbroke at his word. Meanwhile Richard had been detained in Ireland by contrary winds; when he returned he found the Welsh troops which his friend John Montacute, Earl of Salisbury, had collected for him, had dispersed; and towards the end of August he was induced by the misleading representations of Bolingbroke's chief supporter, Henry Percy, Earl of Northumberland (§§ 227–229), to quit his shelter at Conway Castle. He was taken prisoner at Flint and conveyed to London.

§ 222. Deposition of Richard II., September 30, 1399.—At the end of September, Richard formally resigned the crown, and his resignation was accepted by Parliament. Among the thirty-three reasons for this acceptance were Richard's treatment of Archbishop Arundel, his packing of Parliament, his appeal to the Pope to confirm Acts of Parliament, his assertions that "the laws of England were in his mouth" and that he had the absolute right to dispose of the life and property of his subjects as he pleased. Bolingbroke then stepped forward and, in an English speech, put forth a claim, based on his descent from Henry III. (p. 42), to the vacant throne of England—"which realm was in point to be undone for default of governance and undoing of the good laws."

The Descendants of Edward III.


EDWARD III. (1327-1377).
3. Lionel, D. of Clarence.
5. Edmund, D. of York.
(1) Blanche of Lancaster=4. John of Gaunt, D. of Lancaster, d. 1399.=Katharine Swynford.
(2)
6. Thomas, D. of Gloucester.
HENRY IV. (1399-1413).
Philippa; =Edmund, E. of March.
(2) Owen Tudor=Katharine of France.=(1) HENRY V. (1413-1422).
Henry Beaufort (Cardinal), d. 1447.
John Beaufort, D. of Exeter.
Anne; =Edmund Stafford.
HENRY VI. (1422-1461).
Humfrey, D. of Bucks.
Roger, E. of March.
Edward, P. of Wales, d. 1471; =Anne Neville.
John, d. 1444; D. of Somerset.
Joan; =James I. of Scotland.
Edmund, d. 1455; D. of Somerset.
Anne=Richard, E. of Cambridge, d. 1415.
STUARTS.
Margaret=Humfrey, E. of Stafford.
Richard, D. of York, d. 1460. =Cicely Neville.
Edmund Tudor, Duke of Richmond = Margaret Beaufort, d. 1509.
Henry, D. of Buckingham, d. 1483; =Katharine Wydville.
HENRY VII. (1485-1509). =Elizabeth of York.
Edward, D. of Buckingham, d. 1521.
STAFFORDS.
Elizabeth; =John de la Pole, D. of Suffolk.
EDWARD IV. (1461-1483); =Elizabeth Grey (née Wydville).
George, D. of Clarence, d. 1478; =Isabel Neville.
RICHARD III. (1483-1485); =Anne Neville.
Margaret, d. 1503; =Charles, D. of Burgundy.
(1) John, E. of Lincoln, d. 1487; (2) Edmund, E. of Suffolk, d. 1513; (3) Richard, E. of Suffolk, d. 1525.
Elizabeth (d. 1503) =HENRY VII. (1485-1509).
EDWARD V. (1483).
Richard, D. of York, d. 1483 (?).
Katharine =Sir W. Courtnay.
COURTNAYS.
Edward, E. of Warwick, d. 1499.
Margaret, C. of Salisbury, d. 1541.
POLES.
Edward, E. of Salisbury, d. 1484.

NOTE.—The Lancastrians and family names in dark type; eminent rivals of the Tudors in *italics;* sovereigns in capitals (the figures within brackets denoting the period of their reigns). The descent of Henry VII. shown by a double line.

CHAPTER XVIII.

LANCASTRIAN CONSTITUTIONALISM, 1399–1413.

A. Personal History.—Henry IV. was born at Bolingbroke, Lincolnshire, April 3, 1367; eldest son of John of Gaunt—fourth son of Edward III., created Duke of Lancaster (1362)—by his first wife Blanche, heiress of Lancaster; accepted as King of England by the Parliament which had deposed his first cousin, King Richard II., September 30, 1399; crowned, October 13, 1399; married (*a*) Mary Bohun, co-heiress of the Earl of Hereford, 1380, (*b*) Joan, daughter of Charles II., King of Navarre, and widow of John V. Duke of Brittany, February 1403; in right of his first wife, who bore him four sons and two daughters, he was raised from the earldom of Derby (1385) to the dukedom of Hereford (1397); died in the Jerusalem Chamber at Westminster, March 20, 1413; buried at Canterbury. For his family connections, see Tables, pp. 42, 144.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
		Great Schism, 1378–1417		
Manuel II. (1391–1425)	Rupert *Wittelsbach* (1400)	Boniface IX. (1389)	Charles VI. (1380–1422)	Robert III. (1390)
	Sigismund *Luxemburg* (1410)	Innocent VII. (1404)		
		Gregory XII. (1406) *Abdicates, 1415*		James I. (1406)
		Alexander V. (1409)		
		John XXIII. (1410) *Deposed, 1415*		

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) France: §§ 223, 227, 229–231.
- (2) Burgundy: §§ 230, 231.
- (3) Scotland: §§ 223, 227–229.
- (4) Papacy: § 231.

(ii) **Constitutional.**
- (1) Church: §§ 223, 225, 229.
- (2) Royal Succession · § 223.
- (3) Insurrections: §§ 224, 227–229.
- (4) Parliament: §§ 223–226.
- (5) Ministers: §§ 226, 231.
- (6) Wales: §§ 227–229.

§ 223. Henry IV.'s Constitutional Position.—Henry's claim to the throne was recognized by Parliament "with one accord"; and he was straightway led to the throne by the two Archbishops. Both he and his supporters repeatedly insisted that the main feature of

the new reign was to be its complete contrast with that of Richard II. Henry IV. was expected to drop his cousin's despotic ideas and to rule with the counsel and consent of his Parliament, and especially of his magnates; he was to avoid countenancing the Lollards; and he was to resume the French war. That was the ideal, but in practice Henry found it impossible to fulfil these expectations. His accession, though it seemed to be popular, and to have the support of the whole nation, was in reality only the result of a party-triumph which was not necessarily more stable than the similar party-triumphs of 1376 or 1397 (§§ 212, 220). He had to devote his whole energies for the greater part of his reign to keeping the throne which he had won mainly through a combination of luck and lying. His attempts to reward his supporters impoverished him without satisfying them; he had to face repeated attacks by the partisans of Richard and of his heir—the young Earl of March, whose hereditary claims to the crown were better than those of Henry IV. (Table, p. 144); and the manifest weakness of his position naturally invited the renewal of foreign attacks (§§ 227, 229). Fortunately for Henry, these foreign attacks were weakened in number and force by the political disunion of France and Scotland (§ 230).

§ **224. Rising of the Earls, 1400.**—One of the first acts of Henry's Parliament was to annul the acts of the Shrewsbury Parliament (§ 220), and to revive those of the Merciless Parliament (§ 218). At the same time, Richard's chief partisans were punished; and though Henry insisted on moderation, the punishments were heavy enough to provoke resentment. Early in 1400 some of the malcontents—Richard's half-brothers, the Earls of Kent and Huntingdon, his Lollard friend the Earl of Salisbury (§ 221), and York's son the Earl of Rutland—attempted to seize the person of Henry and effect the restoration of Richard II. This attempt failed completely; and the continued unpopularity of Richard was proved by the hostile reception given to the earls in their flight up the Thames Valley, from Windsor to Cirencester. The principal result of the rising of the earls was the death of Richard: he is said to have been starved to death early in 1400, at his prison in Pontefract Castle, Yorkshire (cf. § 186).

§ **225. Statute de Heretico Comburendo, 1401.**—Henry owed his crown largely to the support of the conservative clergy, headed by Archbishop Arundel, and to his acceptance by Parliament. In the session of 1401 he endeavoured to discharge these two debts. He gratified Archbishop Arundel by ordering the execution of William

Sawtre as a heretic, and by giving his assent to an Act which made the repression of Lollardy easier in the future. The *Statute de Heretico Comburendo* enacted that any person whom the bishops found guilty of heresy, and who would not recant, should be handed over to the civil power to be burned without further trial. The decision was thus left in the hands of the ecclesiastical courts, which had expert knowledge in such matters, while the punishment was transferred to the State, which had more formidable means of punishment than the excommunication and other spiritual penalties of the Church-courts (§§ 120, 121).

§ **226. The King and the Commons, 1401–1407.**—Henry had to discharge his debts to the Commons as well as to the Clergy. In 1401 he was compelled to accept the principle, pressed upon him by Sir Arnold Savage, Speaker of the House of Commons, that the King ought to attend to their grievances before he received grants of money: in technical language, "*Redress must precede Supply*" (§ 396). This was only one of the many concessions which Henry had to make to the House of Commons: for instance, he thrice submitted the names of his Council to the approval of the Commons, and after 1406 regularly submitted his accounts to parliamentary audit. In 1407 he assented to the *Indemnity of the Lords and Commons*, whereby the claim of the House of Commons to have the sole right of originating Money Bills was explicitly recognized, and the King pledged himself not to interfere with the debates over money-grants. This was practically the foundation of that control over the purse-strings which ultimately gave the "Lower House" predominance over the "Upper House." The Commons had assented to his royal pretensions, and in return he had to assent to their parliamentary pretensions.

§ **227. Wales and Scotland, 1400–1402.**—Richard II.'s dethronement and death involved disputes between England and France as to what was to be done with his child-widow and her dowry (§ 219). Charles VI. used the opportunity to endeavour to acquire the rest of Acquitaine, to renew the raids on the south coast of England, and to help Henry's enemies in Wales and Scotland. In 1400 a Welsh gentleman, known to the English as Owen Glendower, failing to obtain justice in a land dispute with an English neighbour who was a friend of Henry IV., raised a general revolt in North Wales which did not die out until the end of Henry's reign (§§ 228, 229). In the same year, Henry made unsuccessful expeditions against both Owen and Scotland. Two years later the

Scots retaliated by an inroad into the northern shires, but were defeated at Homildon Hill by the Percies—Northumberland and his son, Henry, whose impetuosity won him the name of Hotspur. In this battle Hotspur avenged his capture at Otterbourn by taking prisoner Archibald, Earl of Douglas (§ 219).

§ **228. Battle of Shrewsbury, 1403.**—This victory of the Percies, at Homildon Hill, seemed at first likely to bring Henry IV.'s troubles to an end; but it rather proved to be a beginning of fresh troubles. Henry, being short of money, not only delayed recouping the Percies for their expenses in frontier-defence, but also claimed their Scots prisoners for ransom. At the same time he offended the Percies by declining to ransom from Owen Glendower Edmund Mortimer, uncle of the young Earl of March and brother of Hotspur's wife. Mortimer married Glendower's sister, and in 1403 the whole family group suddenly turned on Henry, and secured the assistance of the Douglases in their attack. Henry rose to the occasion and defeated the Northerners near Shrewsbury in July 1403, before Glendower could cross the Severn to join them. In this battle the King's eldest son Henry, a youth of fifteen, played a prominent part, and Henry Hotspur was slain. Northumberland made his submission and was pardoned.

§ **229. End of Henry IV.'s Domestic Troubles, 1405–1408.**—The battle of Shrewsbury was the turning-point in Henry's fortunes; but five years had still to elapse before all his dangers were overpast. After Richard II.'s disappearance, the Earl of March was generally used as a stalking-horse by Henry's opponents; but they were much more bent on securing their interests than on vindicating the rights of the legitimist claimant. This is best illustrated by an agreement—made in 1406 at Aberdaron in Caernarvonshire—for the partition of England between Mortimer, Glendower, and Northumberland (cf. § 96). This *Tripartite Convention* was concocted in the interval between two armed attempts by Northumberland to dethrone Henry IV.: in 1405 he was defeated on Shipton Moor, and his ally Scrope, Archbishop of York, was executed as a traitor—an act which struck contemporaries as sacrilege (cf. § 122); in 1408 Northumberland himself was defeated and slain on Bramham Moor. Meanwhile Henry had been successful elsewhere. In 1405 James, son and heir of the second Stuart King of Scots (Table, p. 108), fell into Henry's hands while on his way to France to be educated; and on the death of his father in the following year, his uncle Robert, Earl of Albany, made an arrangement with Henry by which the latter, in

return for keeping the young king out of the way, secured to some extent peace on his northern frontier (§ 239). In 1405 also, Glendower obtained reinforcements from France; but French help was soon withdrawn owing to divisions at home.

§ **230. The Valois Dukes of Burgundy, 1363–1477.**—The French King Charles VI. became subject to fits of insanity; and his intermittent illness set his relations quarrelling for the control of the kingdom (cf. §§ 247–250). In 1407 these quarrels reached a climax in the murder of the King's brother Louis, Duke of Orleans, under the orders of his cousin, John, Duke of Burgundy. After the death of Orleans his party was headed by his father-in-law, Bernard, Count of Armagnac. The consequent wranglings between Burgundians and Armagnacs were closely related to English history during the next thirty years (§§ 235–241). These Dukes of Burgundy, who played so prominent a part in the fifteenth century, and whose political work has powerfully affected the whole course of later European history, belonged to a younger line of the royal house of France, the Valois (Table, p. 190); and they also gathered into their hands most of the duchies, counties, etc., collectively called the Netherlands, which they held as fiefs of the Empire. They therefore acted in various capacities: sometimes they appeared mainly as vassals of the French crown, desirous of taking a leading part in French affairs; sometimes they were bent rather on giving territorial and governmental consistency and independence to their scattered estates; but it was as rulers of the wealthy manufacturing towns of Flanders that they were brought into closest connection with wool-growing England (§§ 177, 198).

§ **231. Henry IV.'s Last Years, 1409–1413.**—Henry did not take any decided line with regard to the French struggle. He had become worn out with worry and remorse; and during his latter years the direction of affairs passed largely out of his hands. In 1411—when the Prince of Wales and his Beaufort half-brother (Table, p. 144) were supreme in the Privy Council, as the working part of the large and unwieldy Ordinary Council now began to be called (cf. § 467)—Henry sided with the Burgundians: in the following year—when Arundel had been restored to power, and the Prince of Wales had been superseded by his younger brother, Thomas, Duke of Clarence—he sided with the Armagnacs. Henry IV. died in the spring of 1413. The great dream of his life had been to bring to a close the Great Schism in the Papacy (§ 188), and to renew his work as a Crusader at the head of a reunited Christendom.

CHAPTER XIX.

LANCASTRIAN FOREIGN POLICY, 1413–1450.

A. Personal History.—See Table, p. 144, for family connections of—

(*a*) Henry V.: born at Monmouth, August 9, 1388; created Prince of Wales, 1400; succeeded his father as King of England, March 21, 1413; crowned, April 16, 1413; married Katharine, daughter of Charles VI, King of France, June 2, 1420 (she afterwards married Owen Tudor, and died in 1438); died at Vincennes, August 31, 1422; buried at Westminster.

(*b*) Henry VI.: born at Windsor, December 6, 1421; succeeded his father as King of England, September 1, 1422; crowned at Westminster, November 16, 1429; at Paris, December 17, 1431; married Margaret of Anjou (*d.* 1482), April 22, 1445; superseded by Edward of York, March 4, 1461; killed in the Tower (on May 21, 1471?) shortly after the death of his only son Edward at Tewkesbury, May 4, 1471; buried first at Chertsey, and afterwards at Windsor.

B. Contemporary Rulers.

Eastern Empire.	Western Empire.	Papacy.	France.	Scotland.
Manuel II. (1391)		Martin V. (1417)	Charles VI. (1380)	James I. (1406)
Joannes VII. (1425)	Albert II. (1438)	Eugenius IV. (1431)	Charles VII. (1422–1461)	James II. (1437–1460)
Constantine XIII. (1448–1453)	Frederick III. (1440)	Nicolas V. (1447–1455)		

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) France: §§ 233–237, 239–244.
- (2) Burgundy: §§ 235, 236, 238, 239, 241.
- (3) Brittany: § 239.
- (4) Empire: §§ 232, 235.
- (5) Papacy: §§ 235, 241.

(ii) **Constitutional.**
- (1) Church: § 232.
- (2) Royal Succession: §§ 234, 244.
- (3) Ministers: §§ 238–244.
- (4) Parliament: §§ 232, 238, 242.
- (5) Parties: §§ 238, 239, 242–4.

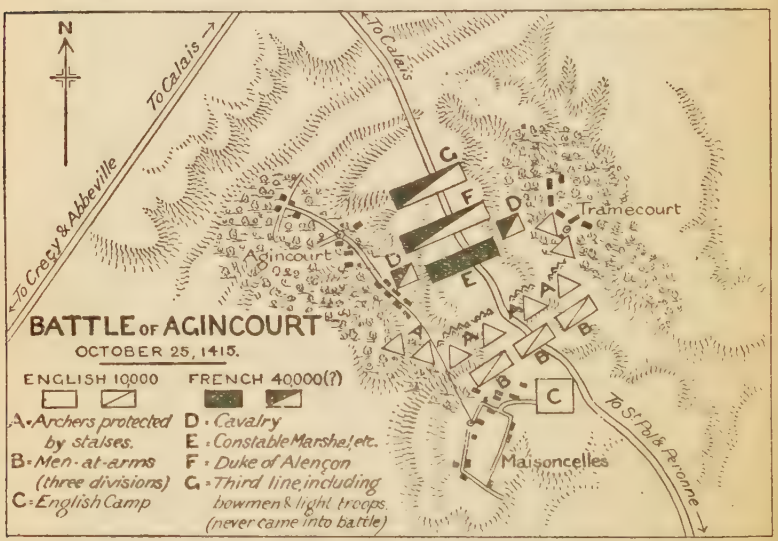
I. Henry V., 1413–1422.

§ 232. **Henry V. and the Lollards, 1413–4.**—Henry V. was at his accession much what his father had been at the same age—vigorous, hard-working, devout, chivalrous, the vivid embodiment of the best qualities of his time. He had great ideas of restoring

the unity of Christendom and turning its combined force against the Turks and other Asiatics who were forcing their way westwards into Europe (§§ 221, 264). Probably his ideas were impracticable; but certainly he had gone a long way towards realizing them when he was cut off—before he had lived half the "threescore years and ten" of man's life. Before he could embark on this great enterprise he had to put his own house in order. He tried to conciliate the English parties and to repress the Lollards, whose ideals made not for unity, but for diversity (§ 225). He gave the Great Seal to his uncle, Henry Beaufort, Bishop of Winchester, but at the same time he consoled Archbishop Arundel, who represented a strong family group, for the loss of the Chancellorship by taking energetic measures against the Lollards. He suppressed a Lollard rising in the spring of 1414, and threw the leader, Sir John Oldcastle, sometimes known as Lord Cobham, in right of his wife, into prison. Oldcastle escaped, and was not caught and executed till four years later. In the previous reigns the Lollards had been powerful enough to promote large schemes in Parliament for disendowing the Church; but after 1414, Lollardy, as an organized force in English politics, came to an end. The main effects of the Lollard movements, both here and in Bohemia—whither it spread through the personal influence of Richard II.'s first wife—were to frighten the Clergy as a class, and to drive them to seek the protection of the State against threats of spoliation (§ 261). It is probable, however, that Wyclif's teaching deeply affected the life and feelings of the middle and lower classes of society long after it had ceased to be prominent in high politics (§ 266).

§ **233. Henry's Claim to the French Crown, 1414.**—Henry V. had apparently brought peace and contentment to England; but he felt that beneath the calm surface of society there were elements which needed some sort of outlet for their restlessness. That outlet he found in the active renewal of the slumbering French war. The divided state of France afforded a good opportunity for attack (§ 230); but Henry seems to have quite honestly persuaded himself that Edward III.'s claim to the French crown was valid and had descended to him (Tables, pp. 42, 124). Accordingly, in 1414, he laid formal claim to the French crown, but at the same time he offered to waive his claims in return for the cession of the French dominions of Henry II. (§ 115). On the rejection of these terms, Henry V. continued the preparations for war which he had been making while he was Captain of Calais in his father's days.

§ 234. The Campaign of Agincourt, August–October, 1415.—When Henry was about to embark at Southampton for France, there came to light a plot to place the Earl of March on the throne. The heads of the conspiracy were Lord Scrope, nephew of the Archbishop executed by Henry IV. (§ 229), and Richard, Earl of Cambridge, son of Edward III.'s fifth son, and brother-in-law of the Earl of March (Table, p. 144). These two conspirators were executed; but when March died without issue nine years later, his claims passed to the son of the Earl of Cambridge (§ 245). Having escaped this danger, Henry crossed to Normandy and laid siege to



Harfleur. Though the contending factions in France made no serious attempt to raise the siege, Harfleur held out for six weeks. On its fall in September, Henry resolved to emulate Edward III.'s feat in marching through a hostile country to Calais (§ 201), though his troops had been thinned by disease and by the necessity of leaving a garrison in Harfleur. He was intercepted by a French army three or four times as numerous as his own at Agincourt, near Crecy. There, on S. Crispin's Day (October 25), the English archers, protected by cavalry, mowed down the disorderly crowd of French knights and enabled Henry to gain a complete victory.

§ 235. **England and Burgundy, 1416–7.**—The victory at Agincourt lifted Henry V. to the front rank among the princes of Western Christendom, and his friendship was sought with eagerness. In 1416 the Emperor Sigismund visited him in England to urge him to support the efforts being made in the General Council sitting at Constance (1414–1418) to bring to a close the Great Schism in the Papacy (§ 188). In 1417 the Council deposed the three rival claimants to the Popedom, and elected in their stead Martin V., a nominee of the Bishop of London. More important, in its immediate bearing on purely English history, was the alliance, made about the time of the Emperor's visit in 1416, between England and John the Fearless, Duke of Burgundy (§ 230). The renewal of the ties which Henry had formed with Burgundy before he became King (§ 231) was practically a return to the old policy of Edward I. and Edward III. in making alliance with Flanders (§§ 177, 198).

§ 236. **Henry V.'s Second Expedition against France, 1417–1420.**—The alliance with Burgundy stood Henry in good stead during his second expedition against France. During the years 1417-1419 he devoted himself to the thorough conquest of Normandy, and to the establishment of a firm yet sympathetic rule in that province. In January 1419 he completed the conquest by the capture of Rouen, the capital of Normandy. In the following August the murder of Duke John of Burgundy, with the connivance of the Armagnac chiefs, tightened the existing bonds between the Burgundian party and England. The Dauphin—as the heir to the French crown was habitually called—was concerned in the murder ; and the Burgundians resolved that he should not succeed his father. They obtained possession of the mad King, and induced him to sign the *Treaty of Troyes*, May 1420 :—

(1) Henry V. was to marry Charles VI.'s daughter, Katharine.
(2) Henry V. was to abandon the title "King of France," but was to be Regent during his father-in-law's lifetime, and to succeed him on his death.
(3) The kingdoms of England and France, when united under one ruler, were to retain their several laws, institutions, and languages.

§ 237. **Henry V.'s Third Expedition against France, 1421–2.**—Henry kept his Christmas in Paris, and then returned with his bride to England. During his absence an Armagnac army, containing a large force of Scots under the Earl of Buchan, defeated and slew the Duke of Clarence at Beaugé in Anjou (March 1421). Henry at once returned to France to avenge his brother, and to

secure his hold on the country north of the Loire. This last expedition was notable for the number of its sieges and for the extensive use of a new weapon of offence—cannon from which projectiles were hurled by the explosive force of gunpowder. After a long campaign Henry suddenly died in August 1422 at Vincennes, near Paris.

II. Henry VI.'s Years of Prosperity, 1422–1435.

§ **238. The Government during Henry VI.'s minority.**—Henry V.'s only son Henry, an infant of nine months, was accepted as King both in England and also, when Charles VI. died in October 1422, in the northern parts of France. On his deathbed Henry V. had made provision for the management of affairs during the minority: he had appointed his eldest surviving brother, John, Duke of Bedford, to be Regent in France, his younger brother, Humfrey, Duke of Gloucester, to be Regent in England. The English Parliament modified this arrangement on the ground that the King had no legal authority to bind his successors in such a matter (cf. §§ 316, 323): the power assigned to the royal dukes was diminished by changing their title from Regent to Protector, and by requiring them to consult a Council nominated by Parliament; but, on the other hand, greater unity in action was attempted by subordinating Humfrey to his older and steadier brother. The practical result of these changes was that Bedford not only took up the government of France, as Henry V. had intended, but also had to supervise the administration of affairs in England. Bedford's main business was to work smoothly with Philip of Burgundy, and to keep the peace among the wrangling parties in the English Council, headed respectively by Gloucester and his half-uncle, Henry, Bishop of Winchester (Table, p. 144).

§ **239. Relations of Bedford and Burgundy, 1422–1428.**—In accordance with the *Treaty of Troyes*, Henry VI. succeeded his maternal grandfather as King of France in October 1422. Naturally enough, Charles VI.'s son did not accept his disinheritance: he took the title of "Charles VII." and was generally recognized south of the Loire. The rival claimants were known, after their respective capitals, as the "King of Paris" and the "King of Bourges." Bedford set himself to secure the universal recognition of his nephew. In 1423 he drew closer the ties between England, on the one hand, and the Dukes of Burgundy and Brittany on the other, by himself marrying Philip's sister Anne, and by arranging a marriage between Anne's sister Margaret and the Duke of Brittany. This triple alliance was quickly consolidated by two important military

successes: Salisbury's victory at Crevant on the Yonne, July 1423, secured the communication between Paris and the duchy of Burgundy; Bedford's victory at Verneuil in Maine, August 1424, secured the communication between Paris and the duchy of Brittany. In these battles the King of Bourges lost the greater part of his best fighting men—the Scots troops under the Earls of Buchan and Douglas (§ 237); and in 1426 Bedford tried to cut off the possibility of fresh reinforcements by releasing James I. King of Scots on condition that he should do his best to maintain peace between England and Scotland (§ 229). Meanwhile Gloucester had been straining Anglo-Burgundian relations by the same means as Bedford had adopted for union—the way of marriage. Early in 1423 he married Jacqueline of Hainault, and tried to obtain possession of his wife's territories, to which Philip had claims. Bedford, however, induced his brother to desist from pressing his claims, and persuaded the half-estranged Duke of Burgundy to join in a great effort to overcome the King of Bourges. The first step was to capture Charles's last great stronghold on the right bank of the Loire—Orleans.

§ **240. The Siege of Orleans and Joan Darc, 1428–1431.**—The siege of Orleans proved to be a turning-point in the war. The town was successfully invested, by the last Montacute Earl of Salisbury, in October 1428; and in the following February, Sir John Fastolf defeated an attempt to cut off the food supplies of the besiegers in the "Battle of Herrings," fought at Rouvray. The pleasure-loving King of Bourges and his faction-torn Council made no strenuous effort to relieve the town from the pressure of starvation. Suddenly, help came in a way which cannot be "explained." Jeanne Darc, a peasant girl of Domremy, in the border duchy of Bar, was convinced that she had been commissioned by God to deliver France from the English. Her strong faith in her calling, her courage, her purity of life, her capacity to detect in others all kinds of deceit and meanness, of which she was herself quite incapable, enabled her to make her way to Charles VII.'s court, to gain his ear, to relieve Orleans in April 1429, to defeat the English in the battle of Patay, and to conduct Charles to be crowned at Rheims in July. The coronation of Charles completed the work for which she believed herself to have divine direction; but she yielded to the request that she should continue her leadership. She was captured at Compiègne, and burnt as a witch at Rouen in May 1431.

§ **241. The Congress of Arras, and Death of Bedford, 1435.**—Jeanne Darc had inspired Charles's adherents with courage.

and Henry's adherents with dismay: she had also done much to make both Armagnacs and Burgundians realize that they were Frenchmen, and that the English were foreigners. In France, as in Scotland a century before (§ 176), the growth of the sense of nationality meant the ruin of English projects of dynastic aggrandisement. Bedford attempted to turn back the tide by having his nephew crowned at Westminster in November 1429, and at Paris in December 1431; but the presence of the boy-king had not the magic effect of Charles's coronation at Rheims. Before the end of 1431 Charles's party had overrun Champagne and north-eastern France, and were threatening Normandy itself. In 1432 Bedford lost his wife, thus snapping the personal tie between him and Burgundy: in the following year he followed his brother's example in making an impolitic marriage. His second wife, Jacquetta of Luxemburg, was the sister of the Constable of St. Pol, a border-lord who had a hereditary quarrel with the Dukes of Burgundy. In 1435 Pope Martin V. assembled at Arras a great European Congress with a view to a general pacification. Bedford refused the terms offered by Charles VII.—Henry's renunciation of the French crown in return for the cession of Normandy and Guienne—and recalled his envoys from the Congress. In September Bedford died, and Burgundy transferred his allegiance from Henry to Charles.

III. The Loss of France, 1435–1450.

§ 242. Cardinal Beaufort and the Duke of Gloucester, 1435–1442.—Bedford's death affected English home politics almost as injuriously as it affected the English position in France. He had kept some kind of order between Beaufort and Gloucester: for instance, he had reconciled them in 1426, when their partisans had come armed with bludgeons to the assembly at Coventry, which is therefore known as the "Parliament of Bats." After his death their personal quarrels widened out into a broad political struggle between a war-party and a peace-party. Anger at Burgundy's defection in 1435, and at the loss of Paris in the following year, gave Gloucester the advantage at first. During the years 1436–1439, Henry's successive Lieutenants in France, Richard Plantagenet, Duke of York, and Richard Beauchamp, Earl of Warwick, beat off Charles's attacks on Normandy, and secured a truce with Duke Philip (1439). Then Gloucester became discredited by the intrigues of his second wife, Eleanor Cobham; and Beaufort obtained control of the Privy Council. In 1440 he released Charles,

Duke of Orleans, cousin to King Charles VII. (Table, p. 190), who had been a prisoner since Agincourt, in the hope that he would bring about a stable peace. In 1442 Henry came of age and earnestly supported his great-uncle's policy: unfortunately, though amiable and well-meaning, he had no force of character (§ 249).

§ **243. Truce of Tours and Henry's Marriage, 1444-5.**—In April 1444 a truce for two years was arranged at Tours by William de la Pole, Earl of Suffolk, a grandson of Richard II.'s favourite and a kinsman of Beaufort's. One of the conditions of the truce was that Henry should marry Margaret, daughter of Réné, Duke of Anjou, and niece of Charles VII.: it was hoped that this marriage would lead to a definite peace. Suffolk became the chief adviser to the young couple, and continued his negotiations, though he foresaw that they would make him unpopular. Gloucester did not mind the marriage, but he disliked Suffolk; and when he was suddenly arrested, during a session of Parliament at Bury St. Edmunds, in February 1447, and died in prison, his death was commonly ascribed to Suffolk's machinations. Six weeks later Beaufort died also; and Suffolk became the chief leader of the peace-party.

§ **244. Loss of Normandy, 1449–1450.**—A few months after Gloucester's death, Richard, Duke of York, who had again been Governor of Normandy (1440-1447), was superseded by the dead Cardinal's nephew, Edmund, Duke of Somerset, and was transferred to Ireland (§§ 181, 249). York's ability and success as a warrior and ruler made him almost as popular as charm of manner had made "the good Duke Humfrey;" and the unsatisfactory management of affairs after the events of 1447 increased York's and lessened Suffolk's popularity. In 1448 a secret condition of the *Truce of Tours* was fulfilled by the surrender of Anjou and Maine to Margaret's father. The troops set free from garrison duty in the ceded provinces broke loose from Somerset's lax discipline and seized the Breton town of Fougères in March 1449. The raid on Fougères was a breach of the truce; and, as Suffolk would give no reparation, the French resumed their attacks on Normandy. Somerset entirely failed to continue York's successful defence of the duchy: towns yielded with hardly a show of resistance; the English were defeated in a pitched battle at Formigny in May 1450; and in August the capture of Cherbourg completed the French conquest. The cession of Maine and Anjou and the loss of Normandy were imputed to treachery; and the summer of 1450 saw the outbreak of the insurrections which began the Wars of the Roses (ch. xx.).

The Wars of the Roses.

1450–1499.

Events.	Results.
1450. Expulsion of the English from Normandy.	Murder of Suffolk (May). Cade's Rebellion (May–July).
Return of York from Ireland, and of Somerset from Normandy.	
1451–3. Expulsion of the English from Guienne.	**1452.** York unsuccessfully demands the dismissal of Somerset.
Birth of Prince Edward during Henry VI.'s First Illness, October 1453.	
York's First Protectorate: March 1454–*January* 1455.	
1455. **St. Albans** (*First* Battle).	York defeats King Henry: Death of Somerset.
York's Second Protectorate: November 1455–*February* 1456.	
1458. *Grand Conciliation on Lady Day.*	
1459. **Bloreheath.**	Salisbury (Y.) defeats Lord Audley.
Followed by the "Rout of Ludford" and Parliament of Coventry.	
1460. **Northampton** (July).	Warwick captures King Henry.
Richard claims the crown: Parliamentary Compromise.	
,, **Wakefield** (December).	Margaret defeats and slays Richard of York.
1461. **Mortimer's Cross.**	Edward of March defeats Tudors.
,, **St. Albans** (*Second*).	Margaret defeats Warwick and regains Henry.
Edward proclaimed King in London.	
,, **Towton** (March 29).	Edward secures his crown: 30,000 men killed.
1464. **Hedgeley Moor and Hexham.**	Nevilles defeat Margaret and the Percies.
1464. *Edward IV.'s marriage* / 1468. *Burgundian Alliance*	*offend Warwick.*
1469. **Edgecote.**	"Robin of Redesdale" defeats Yorkist troops.
Warwick's Exile and Return: The Lancastrian Restoration.	
1471. **Barnet** (April 14).	Edward defeats and slays Warwick.
,, **Tewkesbury** (May 4).	Edward captures Queen Margaret.
Extinction of the First *Family of John of Gaunt.*	
1485. **Bosworth** (August 22).	Henry of Richmond defeats and slays Richard III. Final triumph of the Red Rose.
Union of the Roses by the Marriage of Henry VII. and Elizabeth of York, 1486.	
1487. **Stoke-on-Trent.**	Defeat of Lambert Simnel.
1492–9. Perkin Warbeck *attacks Henry VII. successively from Ireland, France, Flanders, Scotland, Cornwall.*	

CHAPTER XX.

THE STRUGGLE BETWEEN THE ROSES, 1450–1471.

A. Personal History.—For Henry VI., see previous chapter: for descent of the Houses of Lancaster and York from Edward III., see Table, p. 144.

Edward IV.: born at Rouen, April 29, 1441; created Earl of March in consequence of his descent from the Mortimers; on the death of his father, Richard, Duke of York, at Wakefield, December 29, 1460, he marched to London and assumed the title of King, March 4, 1461; crowned, June 28, 1461; married Elizabeth Woodville, widow of Sir John Grey (*d.* 1492), May 1, 1464; driven from England, October 1470; returned, March 1471; died at Westminster, April 9, 1483; buried at Windsor.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Scotland	Turkey.
Nicolas V. (1447)	Frederick III. (1440–1493)	Charles VII. (1422)	James II. (1437)	Muhammad II. (1451–1481)
Calixtus III. (1455)	*The remaining emperors, except one, belong to the House of* **Hapsburg**			*Capture of Constantinople, May 29, 1453*
Pius II. (1458)		Louis XI. (1461–1483)	James III. (1460–1488)	*End of the East Roman Empire*
Paul II. (1464–1471)				

Topics of the Period.

(i) **International**: *relations with*—
(1) France: §§ 245, 246, 253–255.
(2) Burgundy: §§ 254, 255.
(3) Scotland: § 253.

(ii) **Constitutional.**
(1) Royal Succession: §§ 245, 247, 249, 250, 255.
(2) Feudalism: §§ 251, 252.
(3) Parliament: §§ 245, 247, 248, 249, 250.

I. Ministerial Struggle, 1450–1460.

§ **245. Suffolk's Murder and Cade's Rising, 1450.**—Before Normandy had been completely lost (§ 244), Henry's ministers had been attacked by the murder of Bishop Moleyns, at Portsmouth, in January 1450, and by the impeachment of Suffolk in February.

The impeachment was conducted in an irregular way: Suffolk threw himself on the King's mercy; and the King, without going into the charges against him, ordered him to leave the kingdom for five years. While crossing the Channel in May, he was captured by some Kentish sailors and beheaded. Suffolk's murder was immediately followed by a rising in Kent. The grievances alleged by the insurgents were much the same as those alleged by the Commons against Suffolk—incompetence and illegality at home, and treachery abroad: the principal remedy proposed was the substitution of York for Somerset as chief minister. Jack Cade, the leader of the movement, took the name of Mortimer, called himself cousin to the Duke of York, and professed to be acting in his name. He marched to Blackheath, retreated before Henry, defeated the royal force at Sevenoaks, returned to London and obtained admission: when his followers took to plundering they were attacked by the citizens and dispersed. Cade was killed during his flight, and left behind him no proof that York was really implicated. On hearing of these disturbances, both York and Somerset returned to England from their governorships (§ 244). They quarrelled in Parliament, but the King's support gave Somerset the advantage. Henry's fondness for the Beauforts was encouraged by his wife, who was now twenty-one and had become a keen and persistent party-manager. Margaret already suspected York, as she had before suspected Gloucester, of having designs on the crown: it is not known whether there was any solid ground for these suspicions.

§ **246. Loss of Guienne, 1451-1453.**—Just as England under Henry V. had taken advantage of the divisions in France (§§ 230–236), so now France under Charles VII. took advantage of the factions in England to proceed from the conquest of Normandy (§ 244) to that of Guienne. In 1451 the French occupied Bordeaux and Bayonne; and in the following year York made an abortive attempt to force Henry to dismiss Somerset from office. Towards the end of the year Bordeaux appealed to England for help in throwing off the misrule of the French King (cf. § 177); and help was forthwith sent under the command of John Talbot, Earl of Shrewsbury—one of the most experienced of the English generals. Shrewsbury's defeat and death in the battle of Chastillon, July 1453, resulted in the final expulsion of the English from the dominions of Eleanor of Acquitaine (§ 115). The only French possessions left to England were Calais and the Channel Islands: the former was retained for another hundred years (§ 330).

§ 247. **Henry's Illness and York's First Protectorate, 1453–1455.**—About the time of the fight at Chastillon, Henry VI. fell ill after the manner of his mother's father (§ 230) : that is to say, he lost his wits for about a year and a half (July 1453–January 1455). Three months after he became ill his wife bore him a son, who was named Edward. The birth of this child removed York from the position of first prince of the blood royal and heir presumptive to the crown; but it did not lessen his immediate importance. In December he procured the arrest of Somerset ; and in the following March the Lords appointed him "Protector and Defender of the Realm and Church of England." York used his term of office to strengthen his own party in the Council : when the death of Cardinal Kemp left both the Primacy and the Chancellorship vacant, he secured the appointment of Thomas Bourchier as Archbishop, and Richard Neville, Earl of Salisbury, as Chancellor. York had married Salisbury's sister, and his chief supporters belonged, either by descent or by marriage, to the younger branch of the rich and prolific family of Neville. This family connection dominated English politics for the next fifteen years ; and the course of the military operations was largely determined by the lie of the estates possessed by the Nevilles and by their relations in blood or marriage.

§ 248. **First Battle of St. Albans, and York's Second Protectorate, 1455–1456.**—In January 1455 the King recovered : he at once released Somerset and dismissed York. Fearing that the Queen would take further measures against him, York summoned his friends—including Salisbury and his wealthier son, Richard, Earl of Warwick—to help him in removing Somerset from the King's side. On May 22, York's force burst into St. Albans, slew Somerset, and obtained possession of the King's person. A Parliament was summoned which threw all the blame of the late quarrels on the dead Somerset, and, when the King again became mad in November, appointed York Protector. On Henry's recovery in February 1456, York was dismissed and retired to his estates, while Warwick went to the post secured for him by his uncle—the Captaincy of Calais. There Warwick devoted himself to clearing the Narrow Seas of pirates, and did much to win for his party the useful reputation of efficiency in government.

§ 249. **The Yorkist Rout at Ludford, September 1459.**—The struggle had now become a mere squabble for office, embittered by bloodshed. Each party suspected the other of ulterior aims : the Queen certainly believed that York would not be content with less

than the crown; and York was probably beginning to think that only its possession could save him from the Queen's enmity. The King's attitude was aptly expressed in his saying that "he was in charity with all men, and he wished his Lords were so too." On Lady Day 1458 he effected a great reconciliation: the Queen and the Duke of York, followed by other pairs, equally incompatible, marched in procession to S. Paul's, and swore to be good and true to one another. Eighteen months later an attempt was made to arrest Salisbury; but he defeated the attempt at Bloreheath, on the high ground between the middle Severn and the Upper Trent (September 1459). Warwick and York came to his assistance; but their forces melted away before a promise of pardon at Ludford, hard by Ludlow. York took refuge in Ireland, where his excellence as governor had made him popular (§ 244): Salisbury and his son went to Calais, which, thanks to Warwick's ability and popularity as Captain (§ 248), they held successfully against all attempts to dislodge them. In their absence a Parliament held at Coventry attainted York and about a score of his adherents, and swore allegiance to the King and faithfulness to his heir, the young Prince of Wales.

II. Beginnings of the Dynastic Struggle, 1460–1461.

§ **250. The Battle of Northampton, July 10, 1460.**—At the end of June the Nevilles—with their nephew Edward, Earl of March, York's eldest son—crossed from Calais to Kent, and occupied London. Leaving Salisbury in charge of the capital, Warwick pushed northwards and defeated Henry at Northampton on July 10. The Queen escaped, but Henry fell into the hands of the victors. He was forced to recognize the loyalty of his captors and to summon a Parliament. There York laid formal claim to the crown on the ground that he, and not Henry VI., was the true heir of Edward III. (Table, p. 144). Ultimately he accepted a compromise on the lines of that arranged at Troyes (§ 236): York was to be Regent for Henry VI. during his lifetime, and to succeed him on his death. Henry gave his consent to this compromise at the end of October: his wife refused to agree to her son's disinheritance and raised an army in the North.

§ **251. Wakefield and Mortimer's Cross, December 1460–February 1461.**—On December 28, Margaret's army defeated the Duke of York at Wakefield; the Duke was slain in the battle, and his head, adorned with a paper crown, was set on one of the gates of

York ; and Salisbury was captured and executed at Pontefract. The Queen marched southwards with her victorious army and defeated Warwick at St. Albans (February 17). Warwick withdrew his army in good order and effected a junction with Edward, Earl of March, at Chipping Norton. Edward had meanwhile defeated Owen Tudor, step-father to Henry VI. and grandfather of Henry VII. (Table, p. 144), at Mortimer's Cross in Hereford (February 3). Together Warwick and March advanced on London, which opened its gates to them rather than to Margaret's plundering Northerners. On February 28 Edward entered London, and was informally recognized as King on March 4.

III. King and King-maker, 1461–1471.

§ 252. **General Character of the Wars of the Roses, 1450–1461.**—Hitherto the battles of the civil war had been mostly fought by the great landowners and their retainers. These retainers did not hold quite the same relation to their lords as the vassals of the better days of Feudalism (§§ 73, 74): they were not only the tenants of a great landowner, but also the smaller landowners in the neighbourhood, who promised to "maintain" his quarrels if he would also "maintain" theirs, and who, as a sign of thankfulness for the great man's protection, wore his badge and "livery." Various statutes had been passed against the practices of Livery and Maintenance from the days of Richard II.; but for the most part these had remained a dead letter (§§ 259, 270). During the later years of Lancastrian rule the central government had lost its power of controlling the great landowners; and they used their retainers like little armies to coerce the King's officers and to make war on their neighbours. The weakness of the State and the consequent insecurity of life and property in the fifteenth century are frequently illustrated in the family correspondence known as the *Paston Letters*. These private wars were due partly to blood-feuds, partly to the desire to "add field to field;" and the civil war was in origin like a number of little private wars blended together into one great duel. The war takes its name from the adoption of the practice of livery and maintenance: those who followed York wore a white rose as a badge; those who followed Lancaster wore a red rose. Early in 1460 this war developed from a struggle for the control of the government into a struggle for the possession of the crown: early in 1461 the conduct of Margaret's troops roused the towns of the East and South to exert themselves to bring to a

close the marchings and countermarchings of the rival baronial hosts. Except on this occasion these civil wars seem to have passed over the heads of the great mass of the people; and it has even been contended that the fifteenth century was "the Golden Age of the English Labourer" (§§ 214–216).

§ **253. The Battle of Towton, March 29, 1461.**—The result of the intervention of the towns was that Edward IV. and Warwick won a decisive victory at Towton, near Tadcaster, on Palm Sunday, 1461. It was the largest pitched battle of the war: more than 50,000 are said to have been engaged on each side; and 30,000 Lancastrians fell on the field or in their flight. Edward returned to London to be crowned, to hold a Parliament for the purpose of attainting the adherents of the House of Lancaster, and to enjoy himself after his hard work. Meanwhile the completion of the conquest of the North was left in the hands of Warwick's brother John, Lord Montagu. Margaret sought help from Scotland and France, in return for the cession of Berwick and for the promise of Calais. But Warwick's guardianship of the Channel made help from France difficult; and the Scots were distracted by aristocratic factions. In April and May 1464 Margaret's forces were destroyed at Hedgeley Moor and Hexham. Margaret herself escaped to France, but in the following year her husband was captured in Ribblesdale and lodged in the Tower.

§ **254. The Quarrel between Warwick and Edward IV., 1464–1470.**—In 1465 Edward made a truce with France and Scotland; and Warwick was anxious to convert this truce into a close alliance. But Edward wished to be independent of the masterful cousin who had set him on the throne; and he also believed that he would please the commercial classes more by a Burgundian than by a French alliance (§ 230). In 1464 Warwick was negotiating a marriage for Edward with a French princess, when Edward informed him that he already had a wife. Edward's choice had fallen on Elizabeth Woodville, widow of Sir John Grey of Groby, and daughter of Bedford's widow, Jacquetta of Luxemburg, by her second husband. Edward not only married a pretty Lancastrian in preference to the foreign princess selected by Warwick, but he also loaded his wife's relations with favours, and showed every desire to build up a great Woodville family connection strong enough to balance the Nevilles. In 1468 Edward again disregarded Warwick's advice by marrying his sister Margaret to Charles the Rash, the new Duke of Burgundy. Warwick retorted by forming an alliance with

Edward's younger brother, George, Duke of Clarence, and by stirring up risings against Edward IV. The rising of Robin of Redesdale in July 1469 resulted in the battle of Edgecote, which placed Edward in Warwick's power. In the following March another rising broke out in Lincolnshire; but Edward defeated the insurgents at Empingham in the battle of "Losecoat Field," and then found evidence that Warwick and Clarence were conspiring against him. He tried to arrest them, but they escaped over-sea.

§ **255. The Lancastrian Restoration, 1470-1.**—Warwick, like Queen Margaret, took refuge with Louis XI.; and that astute king took some pains to reconcile the two old enemies on the understanding that the House of Lancaster, when restored, should help him in his struggle with Burgundy. In accordance with this *Pact of Amboise*, Warwick landed at Dartmouth in September 1470, and with the help of Lord Montagu and other Neville connections expelled Edward in less than a month. Henry VI. was restored; and the sudden change was quietly accepted for five months. The revolution, being based on a system of family compromises, was for the most part conciliatory; but some of the more ruthless of the Yorkist partisans were sacrificed to the Lancastrian party. Among these were John Tiptoft, Earl of Worcester, one of the promoters of the New Learning (§ 264), who was condemned and executed for various illegalities and cruelties in the discharge of his judicial duties as Lord High Constable. In March 1471 Edward, equipped with ships and a small force of men by his brother-in-law of Burgundy, landed at Ravenspur in Yorkshire, and marched southwards. He was joined by Clarence, who had followed Warwick in the hopes of supplanting his brother, and whose chances of the crown were diminished rather than increased by the Lancastrian Restoration. He was received into London, and marching thence, defeated and slew Warwick at Barnet on Easter Day (April 14). On the same day Margaret and her son landed at Weymouth, and pushed northwards to rally the Lancastrians of the North to her side. She was defeated, and her son was killed, at Tewkesbury on May 4. Less than three weeks later the male line of the first family of John, Duke of Lancaster, was extinguished by the murder of Henry VI. in the Tower. The deaths of both Henry VI. and his son were widely ascribed to Edward IV.'s brothers, Clarence and Gloucester; this belief was encouraged by the Tudors, and was adopted in the cycle of historical plays dealing with the fifteenth century which were edited by the Elizabethan dramatist, William Shakspere (§ 331).

CHAPTER XXI.

THE HOUSE OF YORK IN POSSESSION, 1471–1485.

A. Personal History.—For Edward IV., see previous chapter: for family connections of the House of York, see Table, p. 144.

(*a*) Edward V.: born in the Sanctuary of Westminster during the exile of his father, Edward IV., November 4, 1470; created Prince of Wales, 1479; proclaimed King on Edward IV.'s death, April 9, 1483; reign reckoned to last, April 9—June 25, 1483; probably murdered in the Tower along with his brother Richard, Duke of York; bodies supposed to be theirs discovered in 1674, and buried at Westminster.

(*b*) Richard III., *Crookback*: born at Fotheringay, Northants, October 2, 1452; created Duke of Gloucester and Lord High Admiral, 1461; shared the exile of his brother, Edward IV., 1470–1; appointed Protector of the Realm for Edward V., May 4, 1483; supplanted his nephew, June 26, 1483; married Anne Neville (*d.* 1485), younger daughter of the King-maker, 1474; crowned, July 6, 1483; killed in the battle of Bosworth, August 22, 1485; buried at Leicester.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Scotland.	Turkey.
Sixtus IV. (1471)	Frederick III. (1440–1493)	Louis XI. (1461)	*Personal Union* (1479) *of*— (1) *Castile:* Isabella (1479–1504)	James III. (1460–1488)	Muhammad II. (1451)
Innocent VIII. (1484–1492)		Charles VIII. (1483–1498)	(2) *Aragon:* Ferdinand (1474–1516)		Bajazet II. (1481–1512)

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) France: §§ 256, 257, 260.
- (2) Burgundy: § 256.
- (3) Scotland: § 257.

(ii) **Constitutional.**
- (1) Royal Succession: §§ 256, 258, 259.
- (2) Parliament: §§ 257, 259.
- (3) Taxation: § 257.

§ **256. Treaty of Pecquigny, August 29, 1475.**—Edward IV. occupied a very different position after his restoration from that which he held before. His own position on the throne had been

secured by the removal of his dynastic rivals and over-powerful supporters: the succession seemed to have been secured by the birth of a son to Queen Elizabeth during her husband's exile. The last of the Beauforts in the male line had also perished during the summer of 1471 (Table, p. 144); and it did not seem very important that Edward was unable to obtain possession of the nearest representative of the Beauforts—Henry Tudor, Earl of Richmond (§§ 259, 267). Thus secure on his throne, Edward naturally turned to projects of aggression. In 1474 he revived the claim of Edward III. to the French throne, and renewed the old Anglo-Burgundian project for a partition of France (§§ 230, 236). In the following year he landed at Calais and marched towards Paris. But Charles of Burgundy—being engaged elsewhere in those schemes against Switzerland which led to his death in 1477—did not fulfil his promise of co-operation; and after a brief campaign Edward came to terms with Louis XI. By the *Treaty of Pecquigny* Edward abandoned his claims for a lump sum down, an annual pension, and the betrothal of his daughter Elizabeth to the Dauphin. It is a strong testimony to the rigour of Edward's rule that this poor bargain raised no such national risings as had been provoked by the loss of Normandy twenty-five years before (§§ 244–5).

§ **257. Edward IV.'s Home Policy, 1471–1483.**—The key-note of Edward's home policy was given in his orders at Barnet "to kill the Lords, but spare the Commons." He aimed at weakening the great lords in numbers and in power, while he favoured the humbler folk who wanted peace and quiet. He encouraged commerce and himself made money by sharing in mercantile enterprises; and he gave his patronage to William Caxton, who in 1477 introduced the new art of printing into England, setting up his press within the precincts of the sanctuary at Westminster (§ 264). But while Edward gave the middle-class the firm and orderly government which they wanted, he did not follow the Lancastrian example of taking them into partnership in the work of government (§ 226). During the fourteen years following his restoration he summoned but two Parliaments; and when he wanted money in addition to that which he derived from the parliamentary life-grants and the forfeiture of estates, he had recourse to arbitrary levies which were called by the pleasant name of *Benevolences*—compulsory free-will offerings to the King. The principal incident which stands out in the peaceful years that followed the expedition to France, was the arrest and disappearance of the Duke of Clarence

in 1478. Clarence had married one of the King-maker's daughters in 1469; his younger brother Richard, Duke of Gloucester, married the other daughter after the battles of 1471; a quarrel broke out between them concerning the division of the Warwick estates; Edward's decision in favour of Gloucester made Clarence disaffected; and so in 1478 Edward had Clarence declared guilty of treason and put to death in the Tower. Gloucester, on the other hand, had been faithful to him, in the troubles of 1470–1, and was rewarded with the guardianship of the Scottish Borders. Gloucester ruled well in the North, and was about to be employed in chastising Louis XI. for breaking off the betrothal arranged at Pecquigny when Edward IV. suddenly died in April 1483.

§ **258. The Reign of Edward V., April—June, 1483.**—Edward's death was the signal for an outburst of rivalry between the Woodvilles and Gloucester for the guardianship of the late King's thirteen-year-old son. Gloucester obtained possession of Edward V. on his way up from Ludlow to London, and was appointed Protector by the Council about a month after Edward IV.'s death. The ease with which he defeated the Woodvilles, his evident popularity, and the obvious disadvantages of a minority seem to have led him to aspire to the crown itself (cf. § 211). In this project he secured the aid of Henry, Duke of Buckingham, a descendant of Edward III.'s son Thomas of Gloucester (Table, p. 144). They got rid of Lord Hastings, the most able man in the Council who was known to be loyal to the young King, and they spread about stories that Edward IV.'s children were illegitimate owing to some informality in his marriage with Elizabeth. Buckingham persuaded a number of representative men—including the Corporation of London and many Lords resident in London—to offer Richard the crown; and Richard accepted the offer on June 25.

§ **259. Richard III.'s Difficulties, 1483–1485.**—A few months after Richard's quiet accession rumours spread abroad that he had had his nephews murdered in the Tower (cf. §§ 186, 224). Whether this story was true or not, it ruined his early popularity and gave his many enemies an effective handle against him. Among these enemies, John Morton, Bishop of Ely, a Lancastrian who had conformed to Yorkist rule after Tewkesbury, took the lead; and his plans were those of Warwick in 1469—a coalition of the Lancastrian party with the Yorkist malcontents (§§ 254, 255). Henry VI.'s step-nephew, Henry Tudor, was the chosen substitute for "Richard Crookback." Morton's first attempt failed.

In October 1483 Buckingham deserted Richard and made insurrection for Henry; but he was captured and executed at Salisbury. Richard tried to induce the Duke of Brittany to deliver Henry into his hands, and in 1484 he tried to regain his popularity by passing through Parliament much useful legislation—*e. g.* against Benevolences, Maintenance, and Livery. His efforts were untiring and ingenious, but fruitless; and his disappointment was increased by the successive deaths of his son Edward, Prince of Wales, and of the boy's mother, Anne Neville.

§ 260. The Battle of Bosworth, August 22, 1485.—Meanwhile Henry and his friends—whether living in exile or in pretended allegiance to Richard III.—had been making steady progress with their preparations. Their most zealous worker in England was Henry's mother, Margaret Beaufort, who was now married to her fourth husband, Thomas Lord Stanley, afterwards Earl of Derby. Lady Margaret won over the heads of the clergy and persuaded Queen Elizabeth, Edward's widow, to assent to the marriage of her eldest daughter, Elizabeth, to the Lancastrian claimant. Henry obtained troops and ships from the French King; he landed at Milford Haven early in August 1485; on his march through Wales he was joined by numbers of his Welsh fellow-countrymen (Table, p. 144); and when he met Richard at Bosworth near Leicester, he was joined on the battle-field by the Stanleys and other adherents of the King. There Richard fought and died bravely; and his crown, picked from a hawthorn bush, was placed on the head of the victor.

CHIEF VOYAGES AND DISCOVERIES, 1400–1700 A.D.

DIRECTIONS.—The chief voyages are shown roughly by *dotted* lines. The names of navigators are printed in *letters sloping backwards*. The dates are of *first discoveries*, except where otherwise indicated. Coastlines and rivers shown dotted were unknown to Europeans at the end of the sixteenth century. Philip II.'s dominions (Spanish and Portuguese) are *shaded*.

BOOK VI.

THE TUDOR PERIOD.

INTRODUCTION.

§ **261. Retrospect, 1327–1485.**—The hundred and sixty years covered by our fifth book were marked by perpetual unrest. Not one of the seven kings descended from Edward III. had an undisputed title to the crown; the Baronage and great landholders took advantage of the weakness of their sovereign lords to fight out their family quarrels, or to seize the property of their smaller neighbours; the Clergy had been so frightened by projects of reform which threatened their interests that they had fallen out of touch with their flocks; and among the Commonalty the preference of the majority for peace and quiet was gradually making itself felt above the unruly spirits who enjoyed and profited by civil disturbance. The great mass of fairly well-to-do people in town and country, constituting the middle-class, had been unable to secure the sort of government that they desired by means of their representatives in the House of Commons; and they were ready to accept any rule which should give them adequate protection at home and abroad without exacting excessive taxation in return (cf. §§ 192, 193).

§ **262. Forecast, 1485–1603.**—This need of the English people for a strong and sensible government was met by the Tudor dynasty. There were five monarchs of the line, covering a span of one hundred and eighteen years; and the three of these whose reigns occupied nine-tenths of their period were well suited to the wants of the times and to the prejudices of their subjects. They established a strong monarchy by forcing the Baronage and the Clergy to bow to their will, and by conciliating the great mass of the people; and they were thus able to present a tolerably united front to their foreign neighbours, and in the long run to secure the complete independence of England. The enduring interest of the Tudor period lies in the objects, methods, and results—the last often quite different from those

aimed at—of Tudor policy; and these will form the main topics, the chief things to keep in view, throughout the following six chapters. There we shall see how our national story was affected, not only by the keen personal tempers of these five monarchs, and by the native facts of English soil and blood, but also by some general facts which changed the face of Europe.

§ **263. The New Monarchy in Europe.**—The first of these changes was the rise of strongly centralized governments in the countries with which England was most closely concerned. For some centuries the kings in Western Europe had differed chiefly in dignity and prestige from the great nobles who were their vassals: in actual power they had often been equalled if not excelled. But during the latter half of the fifteenth century Louis XI. built up a strong monarchy in France, by bringing the great fiefs under the direct rule of the crown, while Ferdinand of Aragon and Isabella of Castile not only united their kingdoms by marriage, but also extended and organized their dominions in such a way as to lay the foundations of the powerful kingdom of Spain. In each case the strength of the kingship lay largely in the acquisition of an effective control over the national church, and in dominating the nobility by the maintenance of a standing army backed by the new military weapon—artillery. If a "new monarchy," similar in main outlines, had not arisen in England that country must inevitably have fallen under the sway of one or other of these formidable neighbours, and become, as in the tenth and eleventh centuries, the dependency of a Continental Power (§§ 70, 115). For lack of such a strong monarchy Italy and the Netherlands became the prey of foreigners; and during the sixteenth century there was continually recurring the strong probability of a like fate for England. The most critical moment was in the middle of the century, when the marriage of the first Queen Regnant of England made the country a dependency of the House of Hapsburg (§ 327). Mary's speedy death without heirs made the Anglo-Spanish connection short-lived; but the fact of its existence vitally affected the policy and position of England for the rest of the century. Philip II. was always hoping, some time and somehow, to regain control of the island kingdom (ch. xxvii.). But on the whole the Tudors were able to keep England free from foreign entanglements and foreign domination. In the early Roman Republic, during times of great external peril, "dictators" were instituted with exceptional powers; and by analogy with the

position of these old Roman officials the Tudor monarchy has been called a dictatorship.

§ **264. The Renascence: (i) Intellectual.**—The second change was intimately connected with this political transformation of Western Europe, but it was concerned with a wider and deeper range of facts than those of mere politics. It is called "the Renascence," or "new birth," because it changed the life, thought, ideas, not merely of the rulers but also of the ruled in Western Europe, so much that its inhabitants seem not to have simply altered this or that habit, but to have been born again—become something entirely different from what they were before. Such vast changes take time and cannot be precisely dated; but the particular one before us turned on events that took place during the fifteenth century. The increasing pressure of the Ottoman Turks on the Eastern Roman Empire, culminating in their storming of its capital, Constantinople, in 1453, brought about more frequent intercourse between the "Greeks" and the "Latins"; and especially after 1453, many scholars to whom Greek was a living language were driven to take refuge in the West. The works and ways of thought of the old Greek writers were thus revealed to the learned men of the West, who for the most part had been ignorant of Greek during the last ten centuries. The new literature affected their minds much as a first day in the country affects a child accustomed to the endless streets and alleys of a great city: it was a "revelation," and they felt obliged to adapt their traditional view of things to make room for the new ideas. But this "renascence" would have affected only a handful of leisured scholars, or would have spread beyond that circle so slowly as to be imperceptible, had it not been accompanied by inventions of a mechanical kind. In the fourteenth century the art of making paper had been discovered, and about the time of the fall of Constantinople the art of printing from movable types was brought to a practical stage. It was not till printing on paper was substituted for the costlier process of manual copying on parchment that the cheap and rapid dissemination of ideas became possible; and both discoveries gave a great impulse to the national literatures that were growing up (§ 331). The Renascence affected the arts of sculpture, painting, music, architecture—these were the days of Raphael and Michael Angelo; but in England its most notable influence was in the fields of learning and literature.

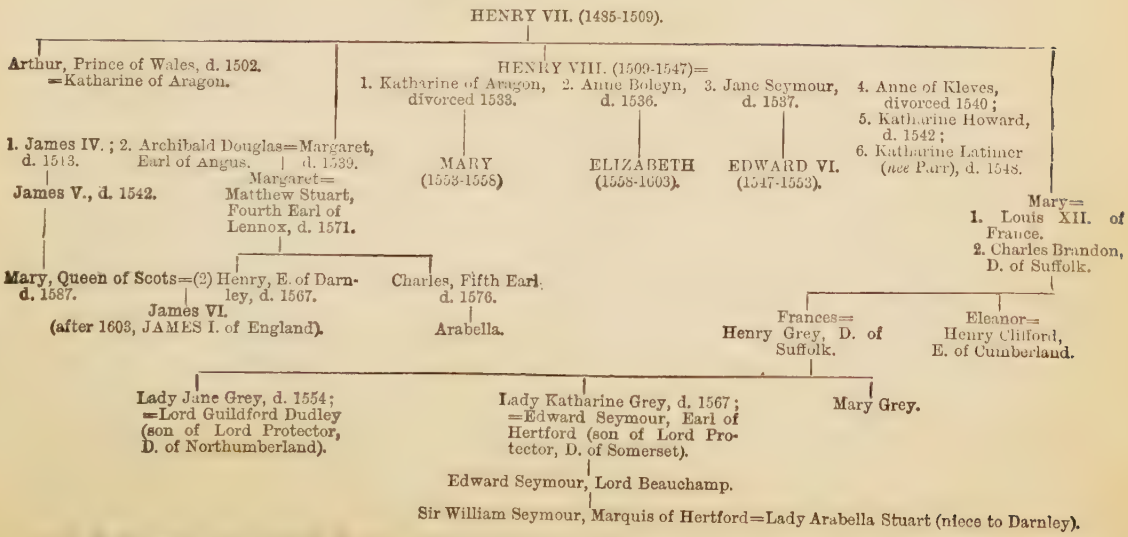
§ **265. The Renascence: (ii) Geographical.**—Alongside of these artistic movements there was going on a series of geographical

discoveries which completely upset the received notions about the size and shape of the earth. At the beginning of the fifteenth century the only parts of the earth well known to Europeans were their own continent and the coasts of the Mediterranean ; the bulk of Asia was known only by the stories of rare travellers ; the size of Africa and the existence of America were unsuspected. The Crusaders had familiarized Western Europe with the fact that the East, vaguely called "India and Cathay," was full of things which made life more comfortable ; and the trading cities of Italy, Venice, Genoa, etc., had grown rich by buying the good things of the East from their Persian and Arab partners on the shores of the Levant and Black Sea, and distributing them throughout central Europe. Partly out of a desire to share this lucrative traffic, partly from a wish to evangelize the heathen, other nations tried to discover different routes to the East ; and in 1498 the Portuguese navigator, Vasco da Gama, reached the coast of India by way of the Cape of Good Hope. Meanwhile Christopher Columbus, a Genoese sailor in the service of Isabella of Castile, believing the earth to be spherical, had tried to reach the Indies by sailing westwards, and in so doing had in 1492 come upon the islands still known as the West Indies. Columbus had failed in the main object of his voyage—the discovery of a practical route to the East ; but his voyage soon led to the discovery of the American continents—the northern by John Cabot in 1497 (§§ 280, 331), the southern by Alvarez Cabral, a Portuguese, in 1500. One short decade of geographical discoveries thus doubled the size of the world as known to Europe, and gave the kingdoms of Castile and Portugal a leading position in the enlarged world.

§ **266. The Reformation.**—Each of the movements outlined in the last three sections had their several developments which we shall touch upon in the course of the narrative ; and each influenced the movement which forms the chief fact in the history of the sixteenth century and which is called the Reformation. The principal professed object of the Reformation was the improvement of the Church. That is a common object of earnest men of all creeds and of all ages ; but in the sixteenth century there were made an unusually large number of vigorous attempts, which for various reasons caused a great stir. In order to understand this, it is necessary to realize that in Western Europe "the Church" was the collective name for the whole body of baptized inhabitants (*i. e.* practically the entire population, save Jews) ; and that this body was bound together by the profession of the same religious beliefs, by participation in similar

religious ceremonies, and by subjection to the authority of religious officials, ranging from the parish-priest up to the Bishop of Rome. But the members of the Church belonged to various races and countries, differed in temperament and occupation, and were influenced by interests that often were, or seemed to be, incompatible with the religion which was professedly their first care ; and during the fifteenth century these differences tended to become more prominent than the tie of fellowship in a single church. The attempts to reorganize the Church after the Great Schism (§ 188) by means of General Councils, and the attempts to rally the Christians of the West to make common cause against the advancing Turk, both alike failed because men were absorbed in their own personal class, or political interests. The growth of compact states, the outburst of new ideas, and the discovery of new lands (§§ 263–265) brought in their train an increased desire to adapt the Church to the new conditions, and at the same time made the sixteenth-century attempts to reform the Church less conservative, less tender of traditions, more impatient of obstacles than those of the previous age. Single-minded attempts to make men better became intermingled with the jealousies of clergy and laity, of German and Latin, of Pope and King ; and the result was that the single loosely organized Church in the West broke up into a multitude of churches, each claiming to be a "true church," and each, for the most part, refusing to recognize its neighbour. Some of these churches remained in communion with Rome, and some separated from it and became known by the general name of *Protestant:* in either case, they each strove to obtain the mastery of the secular authorities in their several regions. The processes and the results of the ecclesiastical revolution varied infinitely in different lands ; but its main tendency was to reveal, intensify, and increase the racial, intellectual, social, and political divisions of Western Europe that had heretofore been partly concealed by a common and mutually recognized Catholicism. The great religious reformers of the day—such as Martin Luther, John Calvin, and Ignatius Loyola—each in his own way influenced England ; but on the whole the English Reformation retained an insular distinction of its own. It produced several notable ecclesiastical statesmen but not a single great religious reformer ; it was far more a political than a religious affair ; it was controlled by, and made to promote the interests of, the Tudor Kingship.

The Royal House of Tudor.


HENRY VII. (1485-1509).
Arthur, Prince of Wales, d. 1502.
=Katharine of Aragon.
HENRY VIII. (1509-1547)=
1. Katharine of Aragon, divorced 1533.
2. Anne Boleyn, d. 1536.
3. Jane Seymour, d. 1537.
4. Anne of Kleves, divorced 1540;
5. Katharine Howard, d. 1542;
6. Katharine Latimer (nee Parr), d. 1548.
1. James IV.; 2. Archibald Douglas=Margaret, Earl of Angus. d. 1539.
MARY (1553-1558)
ELIZABETH (1558-1603).
EDWARD VI. (1547-1553).
James V., d. 1542.
Margaret= Matthew Stuart, Fourth Earl of Lennox, d. 1571.
Mary= 1. Louis XII. of France. 2. Charles Brandon, D. of Suffolk.
Mary, Queen of Scots=(2) Henry, E. of Darnley, d. 1567.
Charles, Fifth Earl, d. 1576.
James VI. (after 1603, JAMES I. of England).
Arabella.
Frances= Henry Grey, D. of Suffolk.
Eleanor= Henry Clifford, E. of Cumberland.
Lady Jane Grey, d. 1554; =Lord Guildford Dudley (son of Lord Protector, D. of Northumberland).
Lady Katharine Grey, d. 1567; =Edward Seymour, Earl of Hertford (son of Lord Protector, D. of Somerset).
Mary Grey.
Edward Seymour, Lord Beauchamp.
Sir William Seymour, Marquis of Hertford=Lady Arabella Stuart (niece to Darnley).

NOTE.—English sovereigns in capitals (the dates within brackets denoting the period of their reigns); Scots sovereigns in dark type.

CHAPTER XXII.

HENRY VII., 1485–1509.

A. Personal History.—Born at Pembroke, January 28, 1457; assumed the crown of England, August 22, 1485; crowned King, October 30, 1485; married to Elizabeth, daughter of Edward IV. (*d.* 1503), January 18, 1486; died at Richmond, Surrey, April 21, 1509; buried in Westminster Abbey. For his parents and descendants, see Tables, pp. 144, 176.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Scotland.	Turkey.
Innocent VIII. (1484)	Frederick III. (1440)	Charles VIII. (1483)	Ferdinand and Isabella (1479)	James III. (1460)	Bajazet II. (1481–1512)
Alexander VI. (1492)	Maximilian I. (1493)	Louis XII. (1498)	Philip I., *Castile* (1504–1506)	James IV. (1488)	
Pius III. (1503)					
Julius II. (1503)					

C. Topics of the Reign.

(i) **International**: *relations with*—
(1) France: §§ 271, 272.
(2) Spain: §§ 268, 271, 278.
(3) Scotland: §§ 275–278.
(4) Flanders: §§ 268, 269, 273, 279.
(5) The Empire: § 271.

(ii) **Constitutional**.
(1) Title and Dangers: §§ 267, 268.
(2) Rivals: §§ 268, 269, 272, 273, 275, 277.
(3) Home Policy: §§ 270, 280.
(4) Taxation: §§ 272, 276, 280.
(5) Ireland: §§ 269, 272, 274.

I. The Period of Instability, 1485–1497.

§ **267. Henry's Title and Coronation, 1485–6.**—Henry VII. formally claimed the crown of England by virtue of descent, and by the "true judgment of God" in giving him the victory. As a matter of fact he always dated his reign from the day before the battle of Bosworth (*i. e.* from August 21); he was not crowned till the end of

October; and it was not till November that Parliament, without entering into the grounds of its action, declared the crown to rest in him and his heirs. Parliament also removed the attainders on his friends, attainted his enemies, and gave him a considerable revenue for life; and during its Christmas recess Henry fulfilled his engagement to marry Elizabeth of York (§ 260). His conduct was designed to show clearly that he owed his crown neither to Parliament nor to his wife, while at the same time he secured himself in possession by their support.

§ **268. Henry's Position, and its Perils, 1485–1497.**— Henry's father had been the step-brother and intimate friend of Henry VI.: his mother, Margaret Beaufort, represented a younger branch of the House of Lancaster (Table, p. 144). Though technical doubts hung round the statutory legitimization of the Beauforts in Richard II.'s reign, no partisan of Lancaster was likely to raise against Henry the formally better claims of the descendants of John of Gaunt's second marriage—who were Spaniards and foreigners (Table, p. 190). Henry was the nearest available representative of the House of Lancaster: whatever the flaws in his title, he was safe enough so far as that party was concerned. But by insisting on his Lancastrian title, Henry exposed himself to Yorkist attack until he could prove that he had the strength to hold his own, and the common-sense to rule impartially. The very ease with which he had won the crown encouraged dynastic adventurers to emulate him; and the first twelve years of his reign were occupied by almost continuous movements in favour of Yorkist rivals. Assuming the two sons of Edward IV. to be dead (§ 259), the next representative of the House of York was Edward, Earl of Warwick, only son to the Duke of Clarence (Table, p. 144). Henry VII. took the precaution of keeping Warwick in the Tower, while another possible Yorkist claimant—John, Earl of Lincoln, whom Richard III. had named heir (§ 259)—was allowed to remain at liberty. Neither was very formidable without the support of their aunt, Margaret, Duchess Dowager of Burgundy (§§ 254, 269, 273, 279).

§ **269. The Earl of Lincoln and Lambert Simnel, 1487.**— During Henry's progress through the kingdom there was, about Easter 1486, an abortive rising under Richard's friend, Lord Lovell; but the first serious attempt to oust Henry VII. was made by John, Earl of Lincoln. Lincoln, however, did not appear as a principal, but contented himself with aiding an effort made in behalf of the Earl of Warwick. Early in 1487 there appeared in Dublin a young

man whose real name was Lambert Simnel, the son of an Oxford organ-builder, but who claimed to be the Earl of Warwick. The pretender or his advisers chose Ireland for the starting-place because Ireland had long been connected with the House of York: Lionel, Duke of Clarence, had married an Irish heiress and had had a distinguished career as Lord-Lieutenant, and in more recent times Richard, Duke of York, had proved a capable and popular administrator in Ireland (§§ 207, 244). Simnel was accepted and crowned as King "Edward VI.," by the FitzGeralds and other Anglo-Irish notables of the Pale (§ 184). He then crossed over to Lancashire with a body of Irish troops and a small force of professional soldiers led by Martin Swartz, and brought over from Flanders by the Earl of Lincoln. The invaders marched into the Midlands, but, despite their abstention from plunder, did not attract many English adherents; and on June 16 they were overthrown at Stoke-on-Trent, near Newark. Lincoln fell on the field, Lovell disappeared, and Simnel was given a post in the kitchen of the King whom he had sought to supplant. Henry VII. deliberately sought to end the rancorous bloodshed of recent years by a policy of clemency.

§ 270. The Court of Star Chamber, 1487.—After the battle of Stoke, Henry VII. felt strong enough to show, more distinctly than he had hitherto ventured to do, that he had no intention of sinking to be the mere tool of the noble factions who had momentarily agreed in setting him on the throne, and who might reasonably be expected to unite in displacing him if he gave signs of being independent. Now that he could be gracious without the imputation of fear, he had his wife crowned in state, and thus sought to bind the loyalty of the Yorkists to his and her son Arthur (§ 278). In the Parliament sitting at the time of this coronation, Henry passed an Act constituting a special court to prevent and punish those kinds of offences against public order which were most practised by large landowners, especially "maintenance" and "livery" (§ 252). Such offenders were, as a rule, so powerful in their own neighbourhood that they could overawe local courts and local juries: the new court therefore was central, was composed of seven prominent officials including the Chancellor and the Treasurer, and required no jury. Practically the court thus constituted had the kind of jurisdiction long exercised by the Privy Council; and it soon came to bear the same name as the Privy Council had borne in its judicial capacity (derived from the decorations of the room in the Palace at Westminster where it sat)—"Court of Star Chamber." In setting up

the court by statute rather than by prerogative, Henry was only doing what the Tudors were so often to do—viz. using Parliament in order to give his wishes the appearance of general approval by all classes (§§ 291, 347).

§ **271. The Affairs of Brittany, 1488–1492.**—In the five years that followed the battle of Stoke foreign affairs engaged a large measure of Henry's attention. During his exile he had had close relations both with the King of France and with his vassal the Duke of Brittany: each had helped Henry as a person who might be of use some day. The Duke was growing old, and, having no sons, was anxious about the future of his territory; the King was hoping to incorporate the duchy with the kingdom of France, as so many fiefs had been incorporated during the century (§ 263); and both appealed to England. The further consolidation of France was contrary to the interests of Henry and of his chief contemporaries—Ferdinand and Isabella, who jointly ruled Aragon and Castile, and Maximilian, Archduke of Austria, who claimed the regency of the Netherlands as being the father of the heir of the Valois dukes of Burgundy (Table, p. 190). There was much talk among these rulers, and many treaties for common action against France; but it was not till long after Charles VIII. of France had settled the question by marrying Anne, the orphaned heiress of Brittany, that Henry made war outright against France. A month's campaign between Calais and Boulogne was closed by the *Treaty of Estaples* (November 3, 1492). Like Edward IV. in 1475 (§ 256), Henry VII. had revived his claims to the kingdom of France, and now agreed to drop their active prosecution in return for a money payment.

§ **272. Appearance of Perkin Warbeck, 1491–2.**—One of the conditions of the Anglo-French treaty was that each party should cease harbouring or aiding rebels against the other; and in accordance therewith Charles turned adrift a new Yorkist pretender who had made his appearance about a twelvemonth previously. This was Peter—commonly known as Peterkin or Perkin—Warbeck, the son of a Flemish boatman of Tournay. The frequency since Stokefield of Yorkist plots and risings against war-taxes—especially a heavy *benevolence* levied in 1491—betokened the existence of considerable discontent in England; and this discontent encouraged the hopes of dynastic adventurers. Accordingly Warbeck was easily persuaded by the men of Cork to personate Richard, the younger son of Edward IV. (§ 259). Not being very well received in Ireland, he gladly accepted an invitation to the Court of France; and after the

Treaty of Estaples, he made his way north to Flanders, where his "aunt" Margaret had a certain amount of influence.

§ **273. Perkin Warbeck in Flanders, 1493–1495.**—Flanders and England were still as dependent as ever on each other for commercial prosperity (§§ 177, 198, 230); but commercial considerations were liable to be sacrificed to the dynastic interests of their rulers. Flanders, like the rest of the Netherlandish possessions of the ducal house of Burgundy, owned the sway of the representative of that house, Philip, Archduke of Austria (Table, p. 190). At the time of Warbeck's advent, Philip was still a minor; and, in the absence of his father, Maximilian, his dominions were largely controlled by his mother's step-mother, Margaret of York (§ 254). She now welcomed Warbeck as her real nephew, and called him "the White Rose of England." In 1493 Henry retorted by forbidding his subjects to hold commercial intercourse with the Flemings; and though he thereby caused some inconvenience to his own people, he caused more to the Flemings (§ 279). At the end of the following year he suppressed an extensive Yorkist plot, and brought to the block its chief participator, Sir William Stanley, who had placed the crown on his head at Bosworth. The *Statute of the de Facto King*, passed in 1495, was an endeavour to give legal security to persons wavering in their allegiance: it provided that obedience to the actual, or *de facto*, King for the time being should not afterwards be considered treason against a successful rival, claiming to be the rightful, or *de jure*, King. Henry VII. also exposed Warbeck's pretensions by publishing, for the first time, the confessions of the murderers of the two sons of Edward IV., and conferred the title assumed by Warbeck—Duke of York—upon his own son Henry, afterwards Henry VIII.

§ **274. Ireland and Poynings' Law, 1495.**—In the autumn of 1494 young Henry was created Lord-Lieutenant of Ireland; and Henry VII. appointed one of his most active officials, Sir Edward Poynings, to act as his son's first Lord-Deputy. Poynings made the King's power felt over a large part of the island—not only within the limits of the Pale, but also among the Hiberniander and Irish chiefs of Leinster and Munster. He arrested and sent over to England the Earl of Kildare, the late Deputy, who had supported Simnel and had intrigued with Warbeck. He made military demonstrations which gave an appearance of strength to the royal power. Above all, at the turn of the year 1494-5, he assembled a Parliament which passed the notable *Statute of Drogheda*. Part of this session's work was a re-enactment of the *Statute of Kilkenny* of 1366 (§ 207)

and other Acts restraining the tendency of the Hibernianders to adopt the language, dress, and customs of the native Irish. The more important part—usually known as "*Poynings' Law*"—aimed at the legal subordination of the Irish to the English home government: English Law as it stood was adopted in bulk for Ireland; and no Irish Parliament was to be held, or to entertain any business, without the previous sanction of the English Privy Council. Having thus overawed those parts of Ireland which professed allegiance to the King of England, and definitely formulated the relations which were to subsist between England and her dependency for nearly three hundred years (until 1782), Poynings was recalled and replaced by the now loyal Kildare. Henry VII. had no time or inclination to attempt to govern Ireland well: he was content to have her kept quiet, and Kildare could achieve that end as well as an English official.

§ **275. Warbeck's Wanderings, 1495–6.**—In June 1495 Warbeck set forth from Flanders (§ 273) with 14 ships and 1000 men supplied by Margaret. He lost nearly one-fifth of her forces in a descent on the English coast near Deal; and Poynings beat back his attack on Waterford with a loss of three ships. In November 1495 he proceeded to Scotland, where James IV., who had throughout held correspondence with him, gave him a kinswoman of his own, Katharine Gordon, in marriage, and in return for the promise of Berwick and a money-payment, engaged to invade England on his behalf (cf. § 253). The invasion was made in September 1496, and proved a complete failure.

§ **276. The Cornish Insurrection, June 1497.**—The Scots King made preparations for a second incursion; and Henry VII.'s sixth Parliament voted him liberal supplies to make preparations for the defence of the northern counties. These taxes roused the ire of the Cornishmen, who failed to see why they should pay to resist an invasion which could not hurt them; and in May 1497 they took up arms and resolved to seek the aid of the men of Kent, whose share in the risings of Tyler and Cade had won them the reputation of being "the freest people in England" (§§ 215, 245, 326). They marched up to London; and on June 17 they were routed on Blackheath by the royal forces. In accordance with Henry's usual moderation none but the leaders were executed.

§ **277. The End of Warbeck and Warwick, 1497–1499.**—The news of the Cornish rising, and the continuance of the discontent in those parts, suggested to Warbeck and his patron a change of plan:

Warbeck was to sail to Cornwall and renew the insurrection there, while the Scots were simultaneously to invade the North. Warbeck, however, loitered at Cork so long that the Scots invasion had been beaten back by Thomas Howard, Earl of Surrey, before Warbeck landed at Whitsand Bay in Cornwall (September 1497). Men gathered round the standard of "Richard IV."; but after a fortnight's advance he fled from near Taunton to take sanctuary at the abbey of Beaulieu, near Southampton. He surrendered and was imprisoned; his wife received a place at Court; and his Cornish followers were heavily fined. Two years later Warbeck entered into arrangements with his fellow-prisoner, Warwick, to escape from the Tower. The attempt was counted to them for treason, and they were executed in November 1499.

II. Domestic Security and Foreign Enterprise, 1497–1509.

§ 278. **The Spanish and Scottish Marriages, 1501–1503.** The capture of Warbeck ended the chances of Henry VII.'s displacement, and so brought to an effective close the wars of the Roses (§§ 245–255). He had always directed his policy towards broader ends than mere self-preservation; but until he could prove his staying power he could not expect to be taken quite seriously by his neighbours. After the removal of Warbeck and Warwick, and the repeated proof that Henry was stronger than his enemies, two marriage alliances which he had long been seeking were quickly brought to a head. In November 1501 his elder son Arthur was married to Katharine, youngest daughter of Ferdinand and Isabella; and in January 1503 his elder daughter Margaret was married to James IV., King of Scots. The former marriage—first arranged in the *Treaty of Medina del Campo*, 1489—lasted only five months, being dissolved by the death of Arthur in April 1502, but it led to important complications in the following reign (§§ 288–298): the latter led, just one hundred years later, to the union of the two kingdoms in Britain (§ 369). The immediate importance of both marriages lay in the recognition of the Tudor dynasty among the reigning houses of Europe.

§ 279. **Relations with Flanders, 1496–1506.**—The year of the Scots marriage was also marked by the death of Henry VII.'s wife Elizabeth, and of his inveterate foe, Margaret of Burgundy. Margaret had been unable to do much harm after her equipment of Warbeck (§ 275): the Archduke Philip, who had now taken power into his own hands, found it expedient to arrange for the restoration of

commercial intercourse between his subjects and those of Henry VII. The Anglo-Flemish treaty of 1496 was modified in a treaty pressed upon Philip ten years later in favour of the English: the two treaties are commonly known by the names given them by Bacon—*Magnus Intercursus* and *Malus Intercursus*, the "Great Intercourse" and the "Bad Intercourse." The treaty of 1506 was the most important of the vast number of treaties and negotiations which filled the second and peaceful half of Henry VII.'s reign. Some of these treaties were designed to enlarge the commercial opportunities of Englishmen: some were designed to prevent the rise to a supreme position of any one among the powerful princes of Western Europe. Henceforth Commerce and Balance of Power tended more and more to become the leading objects of English foreign policy (§ 362). Many of Henry VII.'s later negotiations were concerned with projects for his second marriage; but he died a widower in April 1509.

§ **280. Henry's Character and Work.**—The personality and the achievements of Henry VII. were neither romantic nor picturesque; yet both left their mark on the story of England, and well deserve the memorial they have in the Chapel in Westminster Abbey where his body rests. He had the gift to see what wanted doing, and the will to do it; and as he had a just estimate of his own powers, he usually succeeded in his purposes. His combination of tact, gentleness, and firmness won for England domestic peace and a creditable position among the kingdoms of Europe. While Cardinal Morton—whom he made Archbishop of Canterbury and Lord Chancellor—was alive, he summoned no fewer than six Parliaments; after Morton's death in 1500 he summoned only one; but whether he made use of Parliament or ignored it, he aimed steadily at reducing the facilities of the landowners for petty local tyranny and at enlarging the opportunities of the yeoman and trader for pursuing the arts of peace (§§ 261, 270). It was after the death of Morton and Queen Elizabeth that the financial exactions of the King's ingenious legal agents, Sir Richard Empson and Sir Edmund Dudley, won for Henry VII. a reputation for avarice which is almost as difficult to substantiate as Richard III.'s unmitigated wickedness. Besides what Henry did for his own generation there are at least three notable things which he did for the future: his marriage alliance with Scotland; his constitutional arrangements in Ireland; and his encouragement of John Cabot's expedition which, sailing from Bristol in 1497, discovered Newfoundland and gave Europeans—so far as we know for certain—their first glimpse of the mainland of North America (§ 265).

CHAPTER XXIII.

HENRY VIII. AND CARDINAL WOLSEY, 1509–1529.

A. Personal History.—Born at Greenwich, June 28, 1491; held the title, Duke of York, from 1494 till 1502, when he was created Prince of Wales; betrothed in June 1503 to his elder brother Arthur's widow, Katharine of Aragon, whom he married in June 1509; for his five later marriages, each of which had political importance, see §§ 295, 309, 313; succeeded his father as King of England, April 22, 1509; crowned, June 24, 1509; died at Whitehall, January 28, 1547; buried at Windsor. For family connections, see Table, p. 176.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Scotland.	Turkey.
Julius II. (1503)	Maximilian (1493)	Louis XII. (1498)	Ferdinand (1479)	James IV. (1488)	Bajazet II. (1481)
Leo X. (1513)	Charles V. (1519–1558)		(King in Aragon, Regent in Castile, after 1504)	James V. (1513)	Selim I. (1512)
Hadrian VI. (1522)		Francis I. (1515–1547)	Charles I. (1516–1556)		Suleiman I. (1520–1566)
Clement VII. (1523)					

C. Topics of the Period.

(i) **International:** *relations with*—
- (1) Papacy: §§ 283, 284, 288.
- (2) Empire: §§ 283, 286, 287, 288.
- (3) Spain: §§ 282, 283, 286–288.
- (4) France: §§ 283, 286, 287, 288.
- (5) German Protestants: §§ 286, 287.
- (6) Scotland: §§ 283, 287.

(ii) **Constitutional.**
- (1) Royal Prerogative: § 285.
- (2) Royal Succession: §§ 281, 288, 289.
- (3) Ministers: §§ 282, 284, 289.
- (4) Parliament: §§ 285, 287.
- (5) Church: §§ 284–286.
- (6) Insurrections: § 287.

I. Leagues against France, 1509–1525.

§ **281. Henry's Character and Position, 1509.**—Henry VIII. succeeded his father at the age of eighteen. He was a handsome and accomplished young man, well-trained in both mind and body. His easy manners and sprightliness won him a general popularity

which he never wholly lost: his combination of manliness and culture encouraged the best in the land to expect great things from his rule, to hope that he might actually bring to pass some of the nobler dreams of the leaders of the Renascence (§§ 264, 290). Henry had many things in his favour, besides his character. He entered into the fruits of his father's labours—the possession of a full treasury, a recognized position among the princes of Europe, and a sure title. He was the first English king since Edward III. whose claim to the throne was neither disputable nor disputed; and one of the main features of his policy all through was to secure for his successor a title as unquestioned as his own (§§ 288, 302).

§ 282. **Henry's First Acts, 1509–1510.**—Henry began his royal career by two acts which enhanced his popularity and illustrate leading features in his general policy: in June 1509 he married Katharine of Aragon (§§ 278, 288); and in August 1510 he sent Empson and Dudley to the block. The marriage expressed Henry's continued adhesion to the Anglo-Spanish alliance, but was to prove a fruitful source of trouble in after years: the treatment of his father's servants was typical of his own constant attitude to his ministers—he worked them hard as long as he found them useful, and then posed as a national benefactor by sacrificing them to the enemies whom their very efficiency had procured for them.

§ 283. **The Holy League, 1511–1514.**—Henry was ambitious of military glory and of taking a more prominent part in the affairs of Europe than his cautious and thrifty father had cared to take. He found his opportunity in the turmoil into which Italy had been plunged by Charles VIII.'s epoch-making invasion of 1494. France and Spain were competing for the kingdom of Naples and the duchy of Milan; the Emperor Maximilian was hoping to reincorporate northern Italy with the Empire; and Pope Julius II., having humbled the republic of Venice by means of the *League of Cambray* (1508–9), was now eager to "expel the Barbarian" from Italy. For this purpose he induced Venice, Ferdinand, Maximilian, and Henry VIII. to join him in a *Holy League* against France. England's share in the war was an expedition to Gascony in 1512, which helped Ferdinand to make himself master of the southern part of the kingdom of Navarre; a naval victory off Brest in the same year; and an invasion of northern France in 1513, in which Henry himself took part. While besieging Terouenne his forces routed a body of French cavalry in a fight at Guinegatte, known as the "Battle of Spurs." A fortnight later (September 9) the Earl of Surrey thrust back a Scottish invasion by a victory at

Flodden, on the river Till, in which James IV. lost his life. In August 1514, the warlike Pope being dead, and Henry growing weary of being made a catspaw by his allies, peace was concluded between England and France: Louis XII. promised to pay a million crowns in twenty annual instalments, and married Henry's youngest sister, Mary. On the last day of the year Louis died, and his widow married Charles Brandon, Duke of Suffolk (Table, p. 176).

§ **284. Rise of Thomas Wolsey, 1513–5.**—Such successes as Henry VIII. had won in this war were mainly due to the administrative abilities of Thomas Wolsey. He was the son of an Ipswich grazier, had just passed his fortieth year, and was in holy orders. During the war his promotions followed one another quickly; in 1515 Henry bestowed upon him the Great Seal, and prevailed on the Pope to send him a Cardinal's hat; and two years later he was created Papal Legate over the head of his senior church-officer, the Archbishop of Canterbury (cf. § 153). He thus gathered into his hands the highest powers in England, both ecclesiastical and civil; and his immense capacity for work enabled him not only to attend properly to every department of politics, but also to find time to join heartily in the brilliant social life of the Court.

§ **285. Wolsey's Domestic Policy, 1515–1529.**—During the fourteen years of Wolsey's predominance, he strove amain to put down abuses, to repress indolence and dishonesty in public officers, to make the administration at once efficient and economical, and above all, to retain the favour of the King, without whom he could do nothing. He used his legatine powers to diminish in England those ecclesiastical abuses which were causing revolutionary movements in Germany (§§ 266, 286): with this end in view, he suppressed ill-conducted monasteries, and diverted their revenues to the endowment of Cardinal College, Oxford—which, under its diminished form as Christ Church, still bears as its badge a Cardinal's hat—and other places of education (§§ 300, 305). In his civil activity he was emphatically an administrator, not a legislator: he developed the Privy Council—especially on its judicial side, the Court of Star Chamber (§ 270)—and as far as lay in his power, filled it, not with dignified personages, but with men of practical capacity. On the other hand, like Henry VII. in his later years (§ 280), he dispensed with Parliament as consisting of mere talkers and unpractical busybodies. In the first six years of the reign, a Parliament assembled each year: during Wolsey's ministry the only Parliament was that which was brought together in 1523 for the express purpose of granting supplies.

§ **286. Wolsey's Contemporaries, 1515–1519.**—Wolsey's rise to power synchronized with the appearance of several vigorous personalities on the public stage in Western Europe. In 1515 Louis XII. was succeeded on the throne of France by his cousin Francis I.; in 1516 Ferdinand of Aragon was succeeded by his grandson, Charles I. of Spain, who, three years later, was elected Emperor, as Charles V.; and in 1517 Martin Luther, an Austin friar of Wittenberg in Saxony, issued against the Papal system of indulgences a manifesto which is conventionally regarded as the beginning of the Reformation (but see §§ 188, 266). The political connection between these various persons may be briefly summarized thus: Francis I. and Charles V. carried on their ancestral rivalries; their chief field of action was Italy; the Pope needed money to maintain his princely prestige against them, and so resorted to the financial expedients which Luther denounced; Luther's growing influence helped to increase the divisions in Germany, which made that kingdom a source of weakness rather than of strength to Charles V.; and both Wolsey and his master had to reckon with all these facts in framing their foreign policy.

§ **287. Wolsey's Foreign Policy, 1520–1525.**—Henry aspired to make himself the arbiter between his two powerful contemporaries on the Continent: Wolsey, in furthering this aspiration, also hoped, by the aid of one or other of them, to attain the Papacy. Both Englishmen were courted by the rival monarchs; and in 1520–1, various interviews took place, the most famous of which was that between Henry and Francis, near Calais, in June 1520, known as the "Field of the Cloth of Gold." At first Henry leaned more to the side of Charles V.: they were closely connected by marriage (Table, p. 190); their forbears had been politically allied against France (§§ 230, 271); and the traditional policy of England had long been hostility to France (§§ 189–191). Moreover, Charles V.'s relations with the Pope commended him to both Henry and Wolsey: the King, who had had special training in theology, proved his orthodoxy by attacking Luther in that *Defence of the Seven Sacraments* which won for him from the Pope the title *Defensor Fidei* ("Defender of the Faith"), still attached to the English crown; the Cardinal preferred Charles V., not only because he was a monarch of unimpeachable orthodoxy, but also because his strength in Italy made his influence greater than that of Francis in a Papal conclave. The alliance between Henry and the Emperor lasted for some five or six years; but the English share in the fighting was confined to raiding across the Channel and over the Scottish Borders. The chief result of the

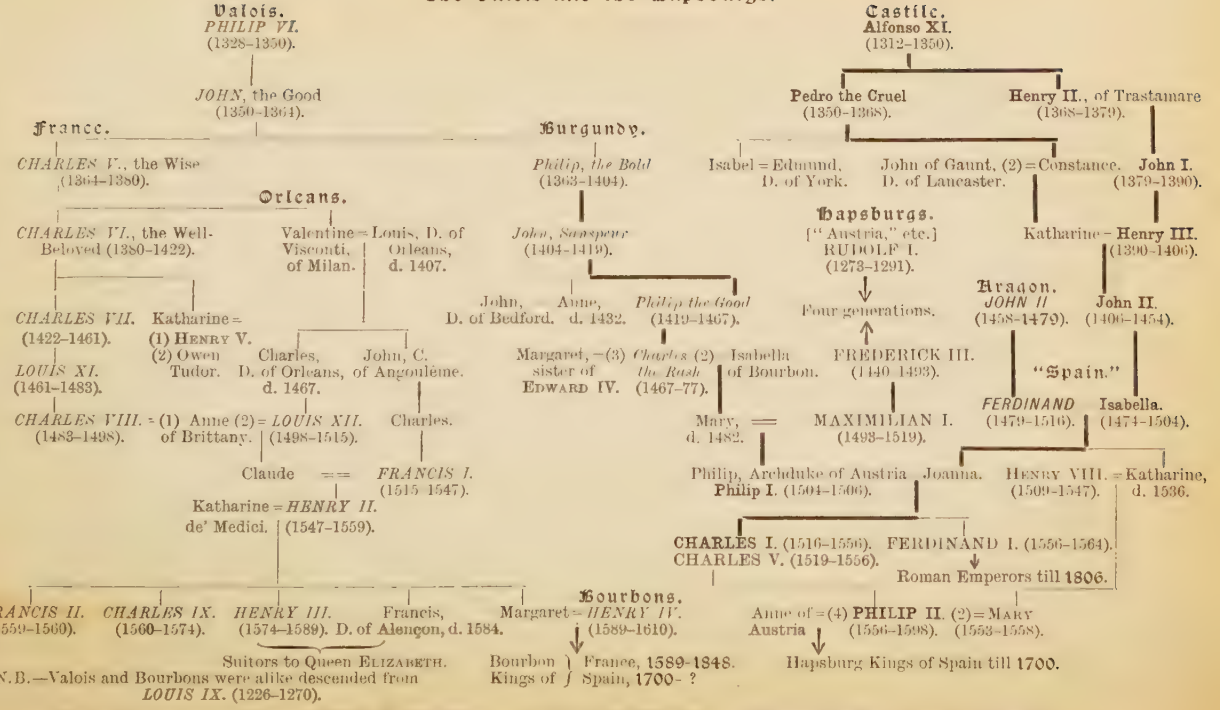
war for England was increased Government demands for money, which were successfully resisted by Parliament in 1523, and by popular insurrection in Suffolk two years later.

II. Alliance with France, 1525–1529.

§ **288. Opening of the Divorce Question, 1527–1529.**—The capture of Francis at the battle of Pavia, 1525, made his rival all-powerful ; and in 1527, Henry and Francis made the sack of Rome by Imperial troops an excuse for forming an alliance against Charles. To cement the alliance, a French marriage was arranged for Henry's eleven-year-old daughter Mary. It was during these negotiations that her legitimacy was first *publicly* called in question. Henry's children by Katharine of Aragon had all died, save Mary ; and he had consequently become anxious about the succession (§ 281). The paramount necessity that there should be a visible male heir to the crown was the most obvious lesson to be drawn from English history during the fifteenth century (§ 261) ; Henry had already shown his observance of the fact by putting to death two possible collateral claimants—Edmund de la Pole in 1513, and the Duke of Buckingham in 1521 (Table, p. 144) ; and it is therefore not surprising that the death of all Katharine's children, except Mary, should have caused Henry qualms of conscience about the validity of his marriage with his deceased brother's wife. He had obtained a dispensation for the marriage from the Pope, and he now applied to the same authority to annul the dispensation. Clement VII. answered the application by appointing a Legatine Commission consisting of Cardinals Wolsey and Campeggio, to examine the case : it sat in London during June and July 1529, and ended by announcing that the Pope had avocated the case to Rome. The Pope found it inconvenient to offend so powerful a neighbour as Katharine's nephew, Charles V.

§ **289. Fall and Death of Wolsey, 1529–30.**—Since beginning the negotiations for putting away Katharine, Henry had fallen in love with Anne Boleyn, a vivacious lady of the Court ; and he was furious at the obstacles thrown in the way of his imperious will. Not being able to reach the Pope, he wreaked his wrath on Wolsey, who was dismissed from the Chancellorship in October 1529, and ordered to retire to his archbishopric of York. In November 1530 he was summoned to London on a charge of high treason, and died at Leicester Abbey, bewailing, "If I had but served my God as well as I have served my prince!"

The Valois and the Hapsburgs.


Valois.
PHILIP VI. (1328–1350).
JOHN, the Good (1350–1364).
France.
CHARLES V., the Wise (1364–1380).
Orleans.
CHARLES VI., the Well-Beloved (1380–1422).
Valentine Visconti, of Milan.
Louis, D. of Orleans, d. 1407.
CHARLES VII. (1422–1461).
Katharine = (1) HENRY V. (2) Owen Tudor.
Charles, D. of Orleans, d. 1467.
John, C. of Angoulême.
LOUIS XI. (1461–1483).
CHARLES VIII. (1483–1498).
(1) Anne of Brittany.
(2) = LOUIS XII. (1498–1515).
Charles.
Claude ==
FRANCIS I. (1515–1547).
Katharine de' Medici. = HENRY II. (1547–1559).
FRANCIS II. (1559–1560).
CHARLES IX. (1560–1574).
HENRY III. (1574–1589).
Francis, D. of Alençon, d. 1584.
Suitors to Queen ELIZABETH.
Margaret = HENRY IV. (1589–1610).
Bourbons.
Bourbon Kings of France, 1589–1848.
Bourbon Kings of Spain, 1700– ?
N.B.—Valois and Bourbons were alike descended from LOUIS IX. (1226–1270).
Burgundy.
Philip, the Bold (1363–1404).
John, Sanspeur (1404–1419).
John, D. of Bedford.
Anne, d. 1432.
Philip the Good (1419–1467).
Margaret, sister of EDWARD IV. = (3) Charles the Rash (1467–77).
Mary, d. 1482. = MAXIMILIAN I. (1493–1519).
Philip, Archduke of Austria Philip I. (1504–1506).
Joanna.
CHARLES I. (1516–1556). CHARLES V. (1519–1556).
Anne of Austria = (4) PHILIP II. (1556–1598).
(2) = MARY (1553–1558).
Hapsburg Kings of Spain till 1700.
Castile.
Alfonso XI. (1312–1350).
Pedro the Cruel (1350–1368).
Henry II., of Trastamare (1368–1379).
Isabel = Edmund, D. of York.
John of Gaunt, D. of Lancaster. (2) = Constance.
John I. (1379–1390).
Hapsburgs.
["Austria," etc.] RUDOLF I. (1273–1291).
Four generations.
FREDERICK III. (1440–1493).
Isabella of Bourbon.
Katharine = Henry III. (1390–1406).
Aragon.
JOHN II (1458–1479).
John II. (1406–1454).
"Spain."
FERDINAND (1479–1516).
Isabella. (1474–1504).
HENRY VIII. (1509–1547).
= Katharine, d. 1536.
FERDINAND I. (1556–1564).
Roman Emperors till 1806.

KEY TO VARIETIES OF TYPE: *KINGS OF FRANCE.* *Dukes of Burgundy.* ROMAN EMPERORS. ENGLISH KINGS. Kings of Castile. *KINGS OF ARAGON.* KINGS OF SPAIN (CASTILE AND ARAGON).

CHAPTER XXIV.

HENRY VIII.'S ECCLESIASTICAL REVOLUTION, 1529–1547.

A. Personal History.—See previous chapter.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Scotland.	Turkey.
Clement VII. (1523) Paul III. (1534)	Charles V. (1519–1558)	Francis I. (1515–1547)	Charles I. (Emperor Charles V.) (1516–1556)	James V. (1513) Mary (1542)	Suleiman I. *the Magnificent* (1520–1566)

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) Papacy: §§ 292, 294–8, 304, 311.
- (2) Charles V.: §§ 294, 295, 312.
- (3) German Protestants: §§ 296, 308, 309.
- (4) Francis I.: § 312.
- (5) Scotland: § 312.

(ii) **Constitutional**.
- (1) Royal Prerogative: §§ 295, 298, 303, 309–312.
- (2) Royal Supremacy: §§ 291–3, 297–330, 302, 305, 307, 308.
- (3) Royal Succession: §§ 295, 302, 309, 313.
- (4) Ministers: §§ 290, 294, 296, 303, 309, 310, 314.
- (5) Parliament: §§ 290, 291, 294–8, 301, 305, 306. [307.
- (6) Convocation: §§ 292, 293, 297,
- (7) Insurrections: §§ 303, 304.
- (8) Wales: §§ 306, 310.
- (9) Ireland: §§ 310, 311.

I. The Divorce Question, 1529–1533.

§ 290. Wolsey's Successors, 1529.—The fall of Wolsey marked a complete change in men and measures. None of his successors ever had so free a hand as he had been allowed; they were usually laymen and not ecclesiastics; and they had to deal not only

with a King who was constantly over-ruling them, but also with frequent parliaments (§ 285). Henry's most prominent advisers, during the ten years which followed Wolsey's fall, were all laymen: among them were Thomas Howard, whose father had been rewarded for his victory at Flodden by the dukedom of Norfolk (§ 283); Sir Thomas More, who had embodied his social ideals in the *Utopia*, had been Speaker in Wolsey's only Parliament, and who now was elevated to the Chancellorship; Thomas Cromwell, who had studied Machiavelli's treatise on state-craft in Italy, and who, under Wolsey, had had practical experience in applying the science. Cromwell, however, did not become a person of first-rate importance until the temporizing policy of Norfolk and More had been proved futile (§§ 296–310).

§ **291. First Session of the Reformation Parliament, 1529.**—The substitution of lay for clerical influence bore its first fruits in the Parliament which met in November 1529, and which is celebrated for its unprecedented length as the "Seven Years' Parliament," and for its achievements as the "Reformation Parliament." This assembly was characterized by what would now-a-days be called "an overwhelming Government majority:" the Government—*i. e.* the King—could make it do *almost* anything he pleased; he chose to manage it in such a way that the Parliament had the appearance of suggesting what in reality had been prompted by the King; and the only thing in which it can safely be said to have been truly representative of the nation, was its dislike of clerical influence. That dislike was illustrated in the first session, by the passing of a number of bills restricting various methods by which the clergy were in the habit of increasing their incomes—such as the exactions of heavy burial fees (*mortuaries*), holding more offices than they could adequately discharge (*pluralities*), and engaging in trades. The bills were not intrinsically important: they merely shadowed forth Henry VIII.'s determination to complete the work of Henry II.—to subject the Clergy, as his father had subjected the other privileged estate, the Nobles, to the authority of the Crown (§§ 263, 270).

§ **292. Recognition of the Headship, 1531.**—The second session of the Parliament, in 1531, was unimportant, but the contemporary sessions of Convocation marked a fresh stage in the ecclesiastical revolution. The whole nation was ingeniously charged with incurring the guilt of *Praemunire* (§ 204), for recognizing the authority which Wolsey exercised as Papal Legate (§ 284), it is well to note, under the express license of the King. Parliament secured a gratuitous pardon for the laity; but the clergy, in their Convoca-

tions assembled, could obtain a similar pardon, only by paying a fine of some £118,000, and by addressing the King as "Head of the Church and Clergy." Henry allowed them to soften the new phrase by the qualification, "as far as the law of Christ will allow;" but the qualification was itself ambiguous, and Henry soon showed that he could interpret it in his own favour.

§ **293. Submission of the Clergy, 1532.**—Some inkling of the King's interpretation of his "Supremacy" was given to the Clergy in the following year. Convocation, under pressure from King and Commons, then made a triple admission:—(1) that Convocation could be summoned only by the King's order; (2) that it could not make binding canons without the King's license and assent; (3) that existing canons were to be considered invalid if contrary to statute-law. Henry thus obtained a clear recognition that he was as essential a factor in ecclesiastical as he was in civil legislation (cf. § 95). Previous kings had for the most part contented themselves with trying to control the application of church-law (§§ 121, 166): Henry VIII. returned to the Conqueror's policy of asserting his right to control the making of church-law. In each case there was room for considerable variations, in both theory and practice, as to the limits of the Royal Supremacy.

§ **294. Third Session of the Reformation Parliament, 1532.**—Meanwhile Henry was steadily prosecuting his divorce suit by negotiations with the Emperor and with the Pope. In 1530, for instance, he tried to smooth the way for Clement VII. by obtaining "counsel's opinion" from the Universities of Europe, that his marriage was invalid; but this device of Cranmer's was rendered useless by the lack of unanimity among the lawyers. As the method of negotiation grew more and more hopeless, Henry gradually forsook the pacific counsels of Norfolk, and fell under the influence of Cromwell (§ 290). The brutal common-sense tone of Cromwell's argument can be exactly reproduced to the modern ear: "why worry about getting a divorce made in Italy, when a cheaper home-made article will do?" If Henry could not obtain his divorce from Rome, he might get it in England; and his dealings with the Clergy in 1530–1532 were directed towards establishing not only his own regal authority, but also the sufficiency of the English ecclesiastical authorities to determine English ecclesiastical questions. When the Pope in 1530 bade Henry take back Katharine till sentence was pronounced, the King retaliated by a Proclamation forbidding the introduction of Papal Letters (cf. § 95); and in 1532 he obtained from

Parliament authority to stop the customary payment to the Pope of *annates* or *first-fruits* (§ 155). The Act, known as the *First Statute in Restraint of Annates*, was equivalent to a threat to stop the Pope's pocket-money if he refused to do what he was told to do.

§ **295. Fourth Session, 1533.**—In the following session Parliament passed the *First Statute of Appeals*, declaring that, as "this Realm of England is an Empire," there could be no appeal in suits concerning wills, marriages, and divorces from the spiritual courts of that realm. In May 1533, Thomas Cranmer, the new Archbishop of Canterbury, acting under the terms of the Statute, declared Henry's marriage with Katharine null and void from the beginning; he followed this decision up by declaring Henry's marriage with Anne Boleyn (celebrated secretly in January 1533) to be legal; and in September the new Queen gave birth to a daughter, afterwards Queen Elizabeth (§ 331).

II. The Breach with Rome, 1533–1536.

§ **296. Cranmer and Cromwell, 1532–3.**—These proceedings were certainly disapproved by the ministers to whom Henry had at first given his confidence after Wolsey's fall (§ 290), and were probably disliked by the nation at large. Whatever might be the technical merits of the case, Henry's conduct towards Katharine and Anne could not commend itself to any person capable of ordinary decency and chivalry; less sentimental people pointed out the danger to English commerce of offending the ruler of the Netherlands; and the conservative-minded could not regard an attack on the Pope's authority as opportune at a time when the German Protestants were threatening the cherished unity of the Church (§ 266). The prevalence of such views is shown by the resignation of Lord Chancellor More and of the Primate Warham in 1532, and by the difficulty experienced in forcing the Acts of 1532–3 through Parliament. More's successor was of no particular importance, as Cromwell was gathering all the civil power into his hands: Warham's successor was Thomas Cranmer, a man of pliable yet persistent character, who seems to have regarded the King with somewhat the same kind of reverence as was conventionally paid to the Pope.

§ **297. Fifth Session, 1534.**—One of the last public acts of Pope Clement VII. was to annul Cranmer's decisions of 1533, and declare Henry's first marriage valid. This was in March 1534. In the same month the Convocation of Canterbury declared the Pope "hath no greater jurisdiction conferred upon him by God in this

kingdom of England, than hath any other foreign bishop," and Parliament embodied the clerical *Submission* of 1532 (§ 293) in the *Second Statute of Appeals*. Other Acts of the session withdrew from the Pope annates, Peter-pence, and other customary dues, and also regulated the royal succession by declaring Mary illegitimate, and entailing the crown on the King's children by Anne. One of these Acts—the *Second Statute of Annates*—laid down the procedure still followed in the appointment of an Anglican bishop: the Crown nominates; the Chapter has leave to elect (*congé d'élire*) the Crown nominee; the bishop designate swears fealty; four bishops consecrate the person thus elected, and confer upon him episcopal authority; he is then invested with the temporalities of the see (cf. §§ 107, 121, 139, 143).

§ **298. Sixth Session, 1534-5.**—The breach with Rome was thus complete: the highest constitutional authorities of the realm—the King initiating, the assemblies that professed to represent the Church and the State assenting—had definitely repudiated the judicial and financial powers claimed and long exercised by "the Bishop of Rome, otherwise called the Pope." But these powers were only repudiated, not abolished. The Parliament in its sixth session transferred most of them to the King in the *First Statute of Supremacy*, and in a supplementary Act subjected to the penalties of high treason all who called the King "a heretic, schismatic, infidel, and usurper of the Crown." The Royal Supremacy as defined by Henry was based on the precedents set by William I., Henry II., and Edward III. (§§ 95, 107, 121, 204), but it went much further: it claimed something more than a negative voice in English ecclesiastical affairs; and it no longer regulated, but explicitly forbade, English ecclesiastical dealings with any foreign potentate.

§ **299. Fisher and More, 1535.**—Such a revolution could not be accomplished without opposition; and many who had enough force of intellect to perceive that there was a distinction—as asserted by Parliament—between repudiating certain political powers of the Pope, and deserting the Catholic Faith, were also acute enough to see that such a line of distinction might easily be transgressed in practice. Among the most distinguished of such men were John Fisher, Bishop of Rochester—an old friend of Henry's grandmother, the Lady Margaret—and Henry's own old friend, More. They were imprisoned in 1534 for refusing to accept the preamble to the *Succession Act* of that year (§ 297), and executed in the summer of 1535 under the *Supremacy-Treasons Act* (§ 298).

§ 300. Cromwell's Visitation of the Monasteries, 1536. Early in 1535 Henry appointed Cromwell his Vicar-General, or, in other words, entrusted him with the actual exercise of the powers included under the Royal Supremacy. Cromwell's position thus came to bear a general resemblance to that of Wolsey as Papal Legate (§ 284), but he drew his authority from what contemporaries, with true insight and humour, described as "the new Papacy:" he was a layman, and he was less tender of received ecclesiastical prejudices. Throughout the year he and his agents were busy collecting or manufacturing evidence as to the uselessness or viciousness of the religious houses of England. Both the theory and the existing practice of monasticism were widely disapproved by the best men of the day; but what set Henry and his minister against them was the desire to divert their wealth from the championship of the Pope to the maintenance of his substitute, the King.

§ 301. End of the Reformation Parliament, March 1536.—The results of Cromwell's visitation of the Monasteries were embodied in a report—no longer extant—presented to the Reformation Parliament in its seventh and last session. The consequence was an Act which dissolved all religious houses having an income of less than £200 per annum—some 280 in number—and vested in the Crown all their property—save a small sum reserved for pensioning the inmates. The smaller houses were selected for destruction on the ground that they were more corrupt than the larger houses. It was soon found convenient to ignore this distinction (§ 305).

III. The Trials of a Lay Pope, 1536–1547.

§ 302. Events of the Year, 1536.—Henry's ecclesiastical revolution was formally completed during the existence of the "Long Parliament of the Reformation" (§§ 290–301): the rest of the reign was mainly occupied with defining and defending the Royal Supremacy in its new shape, and with consolidating the royal power in other respects. The year 1536 was marked by much besides the ending of a notable Parliament. In January, Katharine died, thus opening up a way for reconciliation between Henry and Charles (§§ 288, 312); in May her supplanter, Anne Boleyn, was executed on a charge of adultery, and her daughter was excluded as a bastard from the throne by the *Second Succession Act* (§§ 332, 342); and in the autumn Henry had to face the beginnings of armed resistance to his rapid changes.

§ 303. The Pilgrimage of Grace, 1536–7.—A Lincolnshire

rising under "Captain Cobler" was quickly suppressed in October 1536; but it was followed by a more formidable insurrection in the less accessible region north of the Humber. The insurgents demanded the restoration of the Lady Mary to her rightful position of princess, the rehabilitation of the religious houses, and the expulsion from the King's Council of Thomas Cromwell, and other "low-born heretics." Their proceedings were orderly, and their program religious; they wore as a badge the "Five Wounds of Christ;" and they called their march the "Pilgrimage of Grace." The Duke of Norfolk, whom Henry sent against them, was compelled to promise that a Parliament should meet at York to redress their grievances, and that a general pardon should be given to all who went home on the strength of the promise. A further rising in the spring of 1537 sufficed as a pretext to break these promises, to execute Robert Aske and other leaders, and to harry the disaffected district far and wide. To preserve order in the five northern counties there was instituted a committee of the Privy Council, known as the Council of the North (§§ 392, 400).

§ **304. Cardinal Pole and Paul's Bull of Deposition, 1538.**—A threatened rising in the West of England, similar to the Pilgrimage of Grace, was nipped in the bud by Cromwell's arrest of the probable leaders—the heads of the semi-royal families of Courtnay and Pole (Table, p. 144). Some were executed in 1539; the aged Countess of Salisbury was beheaded in 1541; but her son, the most energetic member of either family, escaped Henry's clutches, and lived to undo some of Henry's work (§ 328). In the years 1537–1539 Reginald Pole was hovering round the Channel in order to promote insurrections, and in 1538 Pope Paul III. launched a Bull of Deposition against Henry; but all these efforts were belated and unprofitable (cf. §§ 341, 342).

§ **305. Suppression of the Larger Monasteries, 1539.**—The chief effect of these acts of opposition was to make Henry VIII. establish securely both his royal power and his royal orthodoxy. His opponents, actual or possible, must be crushed; but on the other hand, he could take the strength of the religious conservatism behind them as a welcome proof that his doctrinal position commended itself to the majority of his subjects. The popular movements of 1536–1539 thus directly led to two of the important Acts of 1539: the suppression of the larger monasteries removed a manifest danger to his Supremacy; the *Statute of the Six Articles* bore striking witness to his orthodoxy. Since 1536 (§ 301) many religious

houses had "voluntarily" surrendered to the Crown; and the Act of 1539 merely ratified these surrenders, and transferred all other monastic property to the King. It has been estimated that the income of the seven hundred houses dissolved between 1536 and 1540 amounted to over £1,500,000 of our money. What became of it all? Some was squandered by the King; some went to the endowment of six new bishoprics (*e.g.* Chester, Oxford, and Peterborough); some was devoted to the improvement of the Navy—an object always close to Henry's heart; but the greater part was given away to Henry's ministers and friends—practically as a bribe to secure their support in his ecclesiastical policy (cf. § 311). No attempt was made to find substitutes for the religious houses as places of education, as centres for poor relief, or as refuges for the friendless: and this omission led to social troubles, of which the most striking, if not the most important, was the increased obviousness and the increased violence of a permanent pauper class (§§ 319, 320, 360).

§ **306. Changes in the Constitution of Parliament, 1539–1543.**—Among the results of the suppression of the religious houses was the disappearance of the twenty-seven mitred abbots from the House of Lords, and their partial replacement by new lay peers. For the first time the Lords Temporal outnumbered the Lords Spiritual in the Upper House; and the preponderance of the former has been steadily increasing ever since. A few years later the House of Commons received an equally notable accession of fresh blood: in 1543 thirty-two members were added to the House, giving representation, practically for the first time, to Wales, Cheshire, and Calais (§ 185). Thus was completed the process begun by Edward I. of incorporating Wales with England in law and organization (§ 163): the dominion still remained, however, under the special care of the Council of Wales instituted in 1478 (§ 400).

§ **307. Statute of the Six Articles, 1539.**—The legislation of the Seven Years' Parliament regarding the Church had been confined to the sphere of ecclesiastical *government*, and had not touched anything which could strictly be called matters of religious *doctrine*. Convocation had in 1536 drawn up *Ten Articles* by way of showing that the doctrines of the Church of England were substantially the same as they had been before the breach with Rome; but it was not till 1539 that Henry made use of the lay assembly for the purpose not of defining but of enforcing theological propositions (cf. §§ 322, 344, 420). The *Six Articles*, embodied in statute-form that year, affirmed the doctrine of the Corporeal Presence in the Sacrament of

the Eucharist, denied the necessity of Communion in Both Kinds, and maintained the celibacy of the clergy, the observance of vows of chastity, the expediency of private masses, and auricular confession: denial of the doctrine of Transubstantiation was made a capital offence, and refusal to accept any of the last five articles was constituted felony. All this was quite conservative: what was new was the intrusion of the laity into a sphere which for centuries the clergy had regarded as entirely their own (cf. § 325).

§ **308. Doctrinal Controversies, 1526-1539.**—The *Six Articles* were aimed not at people who believed in the governing powers of the Pope, but at the growing number of people who wished to upset the entire religious system of the day. The general position of these radical reformers (§ 266) was that God had revealed himself to mankind collectively, not through Pope or clergy, but only through the writings included in the Bible; they therefore desired that book to be translated into the spoken languages of the time, so that all might "drink of the Water of Life;" and they regarded all such beliefs and practices as those inculcated in the *Six Articles* as "human inventions" contrary to "the plain Word of God." Such persons may be called by the general name of Evangelicals: those in England drew their inspiration mainly from Germany. Their chief representatives were the group of University men known as the "Cambridge Gospellers," William Tyndale, whose translation of the New Testament appeared in 1526, and Hugh Latimer, who was deprived of his bishopric of Worcester for refusing to accept the *Six Articles*. Henry regarded it as one of his duties as Supreme Head to repress variations from the traditional Catholic standards of orthodox belief.

§ **309. Fall of Cromwell, 1540.**—The *Six Articles* marked the triumph of the Moderates in the Council—especially the Duke of Norfolk, and Stephen Gardiner, Bishop of Winchester. In opposition to them Cromwell and Cranmer strove to bring the King into closer touch with the German Protestants, by means of a new marriage for the King. He had lost his third wife, Jane Seymour, in October 1537, when she gave birth to the long-desired male heir, afterwards Edward VI. (§ 316). Cromwell persuaded Henry to take as her successor, Anne, daughter of the Protestant Duke of Kleves. The marriage took place in January 1540, and Cromwell was rewarded for his services with the earldom of Essex. Henry, however, soon tired of a wife who was doubly offensive to him as being heretical and as "a great Flanders mare;" he pensioned her and

married Katharine Howard, niece to Norfolk, at the end of July. The same day Cromwell perished on the scaffold as a traitor and a heretic.

§ **310. Cromwell's Minor Work, 1529–1540.**—Cromwell's work was as multifarious as Wolsey's, but more striking to the eye. Besides his share in the ecclesiastical revolution, crowned by his work as Vicar-General (§§ 300, 301), he achieved much in the way of the consolidation and extension of the royal power. The Anglo-Welsh Union of 1536 has been already mentioned (§ 306). To him also is due the *Lex Regia* of 1539, whereby Parliament formally enacted that, within certain definite limits, Royal Proclamations had the force of statute-law. The Act was repealed in less than ten years; but Cromwell's work in Ireland had more enduring results.

§ **311. Irish Affairs, 1535–1542.**—During the forty years that followed *Poynings' Law* (§ 274), Ireland had been alternately governed by Hiberniander magnates and by English officials in the usual way. During Cromwell's ministry there came a series of changes. In 1535–1537 the heads of the Kildare FitzGeralds were exterminated for intriguing with Charles V.; and at the same time an attempt was made to assimilate the Irish Church to the new English model. In 1537 an *Irish Act of Supremacy* was forced through the Irish Parliament (cf. § 298). Five years afterwards the monasteries in the English part of Ireland were suppressed, and the confiscated lands were distributed among the magnates to secure their adhesion to the new state of things. In 1542, also, Henry VIII. asserted his independence of the Pope by changing the Pope-given title, "Lord of Ireland," for that of "King" (§ 125). These measures aroused a greater and more successful opposition than their analogues in England, and their chief result was, to drive the Keltic part of the Irish Church into closer union with Rome (§§ 351, 358).

§ **312. War with France and Scotland, 1542–1546.**—The concluding years of Henry's reign, after Cromwell's fall, were occupied by the wars that arose out of his active re-entry into international lay politics, and by attempts to secure a permanent balance among the bitter factions that threatened to mar the impending reign of a minor (§ 314). From 1542 to 1546 England was at war with France and Scotland, at first in alliance with Charles V. The chief incidents in the Scottish war were the death of James V. after his defeat at Solway Moss in 1542, and the consequent invasion of Scotland in 1544 in order to compel the marriage of the infant Queen Mary with the Prince of Wales (§ 317). The scheme fell through,

and the only return which the King obtained at the general peace of 1546 for his costly campaigns was the town of Boulogne (§ 322).

§ **313. Henry VIII's Financial Methods.**—As in the former wars (§§ 283, 287), the military expenses were met by heavy exactions; and even these did not suffice to save the State from bankruptcy. In 1544 Parliament repeated its action of 1529 in allowing the King to repudiate his debts; and in the following year a benevolence of from ten pence to twenty pence per pound was raised. Moreover, Henry continued the process, begun by Edward III., of debasing the coinage: that is to say, he issued from the Royal Mint coins smaller in size, and containing a larger proportion of alloy than those previously in use having the same nominal value. At first the King made a profit by this dishonesty, for he could manufacture more coins out of a given weight of precious metal; but naturally prices soon rose to an extent which more than counterbalanced this profit. The result in the long run of such tampering with "sound money" is to cause social difficulties (§ 319).

§ **314. Henry's Balancing Policy and Death, 1542–1547.**—Henry had secured a general acceptance in England for his ecclesiastical settlement, but he was well aware that that security was dependent upon his own life. Some of those who accepted it desired to modify it in order to return to the communion of the Pope: others wished to diverge still further from the Papal system. Among the former may be ranked Bishop Gardiner, Norfolk, and his poet son, the Earl of Surrey: among the latter were Archbishop Cranmer, Jane Seymour's brother Edward, Earl of Hertford, and John Lord Lisle, son of the Dudley executed in 1510 (§ 282)—both successful commanders in the war of 1542–1546. Henry VIII. desired to keep these two parties as evenly balanced as possible even after his death; and with this end in view he passed through Parliament in 1544 the *Third Succession Act,* empowering him for a second time to name his successor and to regulate the government during his successor's reign (§§ 238, 302, 316). On the whole, however, the conservative party were in the ascendant so long as Katharine Howard was queen; but some time after her execution, in 1542—on the usual ground of infidelity (cf. § 203)—Henry married his last wife, Katharine Parr, a widow and an adherent of the innovating party. Believing that the Howards were preparing to retrieve their position by a desperate stroke, Henry arrested them both in the fall of 1546: Surrey was executed, but Norfolk was saved by the death of the King on the day appointed for his execution (January 28, 1547).

CHAPTER XXV.

ENGLAND UNDER FOREIGN INFLUENCES, 1547–1558.

A. Personal History.—See Table, p. 176, for the family relations of—

(*a*) Edward VI.: born at Hampton Court, October 12, 1537; succeeded his father as King of England, January 28, 1547; crowned, February 28, 1547; died unmarried, at Greenwich, July 6, 1553; buried at Westminster.

(*b*) Mary I.: born at Greenwich, February 18, 1516; succeeded her half-brother on the throne of England, July 6, 1553; crowned, October 1, 1553; married Philip, King of Naples, afterwards Philip II. of Spain, July 25, 1554; died, without children, in St. James's Palace, November 17, 1558; buried at Westminster.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Scotland.	Turkey.
Paul III. (1534)	Charles V. (1519)	Francis I. (1515)	Charles I. (1516)	Mary (1542) (Scotland under a Regency during her minority and absence in France)	Suleiman I. (1520–1566)
Julius III. (1550)		Henry II. (1547)	(the Emperor Charles V.)		
Marcellus II. (1555)					
Paul IV. (1555)	Ferdinand I. (1556)		Philip II. (1556)		

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) The Papacy: §§ 326, 328, 330.
- (2) The Empire: §§ 317, 323, 326, 327.
- (3) Spain: §§ 326, 327, 330.
- (4) France: §§ 317, 322, 327, 330.
- (5) Scotland: §§ 317, 330.

(ii) **Constitutional**.
- (1) Foreign Influences: §§ 315, 320, 322, 327–330.
- (2) Domestic Factions: §§ 315, 316, 321, 323, 324.
- (3) Ecclesiastical Affairs: §§ 318, 319, 322, 325, 328, 329.
- (4) Succession Questions: §§ 316, 323, 324.
- (5) Insurrections: §§ 320, 326.

I. The Protectorate of Somerset, 1547–1549.

§ 315. Characteristics of the Period.—The two short reigns which followed the death of Henry VIII. were marked by the temporary interruption of the strong personal government of the Tudors (§ 262). It is true that both Edward and Mary had wills of their own; but the one was a minor, the other a woman. England had never yet been governed successfully by a minor (ch. xvi., xviii.,

xix.); and the rule of a woman was a novel and discouraging experiment (cf. §§ 111, 112). These two reigns were marked, therefore, by the recommencement of unchecked party struggles among the aristocracy, by the sudden reduction of England to the position of a third-rate Power, by the rapid growth of foreign influences in Church and in State, and by violent changes in religion. England became a dependent and disordered realm; and the contrast between her condition under the strong rule of Henry VIII. and Elizabeth, on the one hand, and her condition during the intervening period, on the other hand, has been compendiously characterized by describing the two brief reigns as "un-English."

§ **316. Edward VI.'s Advisers, 1547.**—Henry VIII. had twice sought and received from Parliament power to arrange for the government of England after his decease (§§ 302, 314). He was found to have appointed in his will a body of sixteen "Executors" to act as a council of regency. He had sought to secure a continuance of his moderate church-policy by selecting these "Executors" equally from the two parties which had long been struggling for the mastery (§ 314). The innovating section of the Council, however, contrived to upset the balance, and procured from the young King the official position of Lord Protector for their own leader, Edward Seymour, Lord Hertford. Hertford's sister had been Edward VI.'s mother (§ 309), and he now obtained from his nephew the dukedom of Somerset for himself, and various peerages and estates for the colleagues who had acquiesced in raising him to the head of the State.

§ **317. Somerset's Foreign Policy.**—Somerset was rather less selfish than the bulk of his partisans, and, though personally ambitious, he had genuine enthusiasm for religious reform and for the social welfare of the poorer classes. But his zeal outran his discretion, and his methods were not well adapted to his ends. He was consequently unsuccessful both abroad and at home. He sympathized with the German Protestants: yet he made no effort to save them from the temporary ruin which was brought upon them by Charles V.'s victory at Mühlberg, Saxony, in April 1547. So too, nearer home, he sympathized with the party of ecclesiastical reform in Scotland (§ 337): nevertheless, he allowed that party to lose their stronghold, St. Andrews, before he marched north to their aid. On September 10 he defeated the Scots at Pinkie Cleugh, a few miles east of Edinburgh. But the victory and the ravaging with which it was accompanied, merely strengthened the anti-English party in Scotland. The five-year-old queen Mary (§ 312), instead of being

won as the wife of England's boy-king (cf. § 170), was sent to France and betrothed to the Dauphin Francis in 1548; and the regency was, after an interval, acquired by the Queen-Mother, Mary of Guise. The old Franco-Scottish alliance was renewed, as usual, under pressure of the English aggression; and Somerset found himself too much occupied with domestic affairs to check this movement.

§ 318. Somerset's Ecclesiastical Measures, 1547–1549.—The elevation of Somerset to the head of the State was followed by the suspension or imprisonment on various pretexts of the more conservative bishops—*e. g.* Gardiner and Bonner—and by a series of rapid changes in the Church. In 1547 a Royal Commission conducted an ecclesiastical visitation for the purpose of removing images and seeing that English was substituted for Latin in public worship; and in the same year Parliament placed in the hands of the Crown the direct appointment of bishops (§ 297) and all the remaining property of ecclesiastical corporations (§§ 305, 319). A *Book of Homilies* edited by Cranmer was also issued: these were to be read instead of original sermons by the parochial clergy, and were designed to teach the people the excellence of the changes that had been made or were about to be made. Early in 1549 Parliament passed the *First Act of Uniformity*, enforcing the use, in public worship throughout the land, of Prayer-Books based on the service-books hitherto in use, but remodelled and composed in English.

§ 319. Social and Economic Discontent, 1549.—The suddenness of these changes in the public conduct of religion, and the rapacity shown by many of those who were engaged in carrying them out, both startled and disgusted the nation. The poorer classes especially were affected in pocket as well as in sentiment. The ecclesiastical corporations whose property had been confiscated in 1547 included the gilds whose funds had been applied to educate the children, to maintain the aged, and to pay for masses for the repose of the souls of the dead belonging to the members of the gilds: their religious endowments had been swept away on the ground that this last use was "superstitious." Some of the wealth thus acquired by the State was devoted to the reconstitution of the schools still known as "King Edward VI.'s Grammar Schools;" but the bulk fell into the hands of the needy courtiers and their dependants. The disendowment of these gilds took place just at a time when such benefit-societies were peculiarly needed: the turning of arable land into pasture was throwing out of employment many who, in default of such means of relief as the dissolved monasteries and

dissolved gilds dispensed, were compelled to become "sturdy vagabonds" wandering about in search of food, and taking it by force if they could not stave off hunger by the gifts of the charitable. The savage *Vagrancy Act* of 1547—authorizing the captors of such vagabonds to keep them as slaves—was found quite useless, and was repealed two years later. Somerset issued a Commission to investigate the grievances of the unemployed: he thus raised hopes of relief which he could do nothing to realize.

§ **320. Insurrections in West and East, 1549.**—Religious and social discontent broke out into open insurrection in the year 1549. The first use of the new Prayer-Book on Whitsunday led to a popular rising in the West of England (cf. §§ 303, 304), which was crushed by Lord Russell in June. Next month a more formidable rising to ameliorate the social condition of the people burst forth in Norfolk, under the leadership of Robert Kett, a wealthy tanner: it was nearly six weeks before this movement was put down by John Dudley, Earl of Warwick, at Duffindale, near Norwich. These were only the two principal risings amongst a large number of disturbances, which were so widespread and serious that the Government was obliged to employ German and Italian mercenaries for their suppression.

II. Ascendancy of Northumberland, 1549–1553.

§ **321. Fall of Somerset, October 1549.**—Somerset had not been successful; and his openly expressed sympathy with the poorer classes had brought him no popularity, while it caused him to be regarded with suspicion by his wealthy colleagues. Early in 1549 he had been able to send to the block his brother Thomas—Lord Seymour of Sudeley, and husband of Henry VIII.'s widow, Katharine Parr (§ 314)—for a "treasonable" attempt to supplant him; but in October Warwick, the victor of Duffindale, made a more successful attempt. Somerset was imprisoned for a few months, and his rival took his place, not however as "Lord Protector" but simply as "Lord President of the Council." Two years later Warwick was raised to the dukedom of Northumberland, and Somerset was executed on the charge of making a felonious attempt to unseat him.

§ **322. Further Ecclesiastical Reforms, 1549–1552.** Just before Somerset's fall England had drifted into war with France, which was brought to a close in March 1550 by the retrocession of Henry VIII.'s conquest, Boulogne (§ 312). The rest of Northumberland's rule was mostly occupied with attempts to carry the Reform-

ation still further, and to secure its continuance in England. The ecclesiastical measures were, as before, under the guidance of Cranmer, but they were now largely influenced by the German Protestants who took refuge in England from the troubles in Saxony, Zurich, and the Rhine-lands (§§ 317, 335). In 1552 a *Second Act of Uniformity* imposed a shilling fine for absence from Church, and prescribed the use of Edward VI.'s Second Prayer-Book. Its general tendency was shown by its attitude to the typical controversy of the day: the Sacrament of the Last Supper was no longer described as "commonly called the Mass," and it was treated rather as a memorial service than as, in any sense, sacrificial (§ 307). So, too, the *Forty-Two Articles of Religion* promulgated in the following year were distinctly based, not, like the Prayer-Book, on the mediaeval formularies of the Anglican Church, but on recent Lutheran "confessions."

§ **323. The Attempt to Change the Succession, 1553.**—The knowledge that Edward was rapidly dying of consumption made both himself and his advisers anxious as to the future position of the Church and of themselves under his lawful successor. The Princess Mary had steadily refused to conform to the altered services of the reign, and had been allowed to keep on her own way for fear of offending her powerful cousin, Charles V. There was no doubt that she would undo her brother's, if not her father's, work; and Northumberland, by insisting on this point, persuaded the King that it was his duty to preserve the present religion of the country by changing the succession. Barely a month before the precocious youth died, he issued letters-patent cancelling the succession authorized by Parliament in 1544 (§ 314), and appointing as his heir, Lady Jane Grey, grand-daughter of Henry VIII.'s younger sister Mary (Table, p. 176). Though a minor, he thus attempted to effect on his own authority far more sweeping succession changes than his father had ever attempted with the authority of Parliament (§§ 297, 302, 314).

III. Mary as Sole Queen, 1553–1554.

§ **324. The Nine Days' Queen, 1553.**—The choice of Lady Jane Grey as successor to Edward VI. was due to Northumberland, who had married the girl to his son, Lord Guildford Dudley, and who hoped thus to secure the continuance and even the increase of his power. His ambition overreached itself. A section of the Council opposed to him warned Mary to keep away from London, and, when Northumberland went into the Eastern Counties in search of her, proclaimed Mary as Queen. Jane, who had been persuaded

that her succession was not only legal but also popular, readily yielded to Mary; her father-in-law was executed as a traitor; and Mary became the first Queen Regnant in England (§ 315).

§ **325. The Queen's Ecclesiastical Proceedings, 1553.**—The daughter of Katharine of Aragon naturally regarded the ecclesiastical changes of the past twenty years with disapproval: she was resolved to undo both the ecclesiastico-political work of her father, and the more properly religious work of her brother. In the latter of these objects she had the bulk of the whole nation, in the former she had the bulk of the clergy, on her side. She at once let it be known that foreign Protestants could no longer regard England as a safe asylum; she imprisoned Cranmer for taking part in the late attempt to exclude her from the throne; she restored Gardiner and Bonner to the sees of Winchester and London respectively; she dispossessed all the bishops and clergy who had taken advantage of the Edwardian Act of Parliament legalizing the marriage of the clergy (§ 95); and she authorized the use of the old service-books. Her first Parliament, which met in October, showed its approval of her action so far by formally repealing the ecclesiastical statutes of the last reign, and thus restoring the state of things which had existed under Henry VIII. Parliament also declared Mary legitimate and Head on earth of the Church of England; but it would not listen to suggestions of restoring the church-lands (§ 328).

§ **326. Marriage Projects and Insurrections, 1554.**—The religious conservatives had thus got by peaceable means from Mary and her advisers what they had failed to extort by force from the advisers of Edward VI. (§ 320)—viz. the restoration of the church-services to which they were accustomed. They were content, but Mary wanted more: she desired to restore the Papal Supremacy in England, and the better to effect this she wished to marry Philip, the son and heir of her cousin Charles V. Amongst other persons named as possible husbands were Reginald, Cardinal Pole, and Edward Courtnay, Earl of Devon, both descended from the royal house of York (Table, p. 176), and more generally acceptable to the nation as being not aliens but Englishmen. Gardiner, now Lord Chancellor and Mary's chief adviser, strongly urged the claims of Courtnay: finding that impracticable, he endeavoured to frame a marriage-treaty with Philip which should guarantee the continued independence of England. The marriage was formally announced in January 1554, and immediately there broke out risings in the Southern and Midland districts of England to frustrate the project.

The most formidable was that of the Kentishmen under Sir Thomas Wyatt, the poet (cf. § 276). Mary's courage rallied the men of London to her side; Wyatt was taken prisoner at Temple Bar; and the leaders of the various risings, together with Lady Jane and her husband, suffered death in consequence of the attempt. The Princess Elizabeth narrowly escaped the same fate, and was virtually a prisoner for the rest of her sister's reign.

§ **327. The Spanish Marriage, 1554.**—Mary's second Parliament gave its approval to the marriage, and in July Philip came over to England for the ceremony. He had been made King of Naples for the occasion; and within the next two years Charles resigned to him all his Spanish, Italian, and Burgundian dominions (Table, p. 190). Though it failed to realize the expectations based upon it, this marriage is one of the most important facts in the sixteenth century. It reduced England from the position of a separate factor in European politics to that of a Hapsburg dependency (§§ 263, 332). The German Protestants, with the aid of Henry II. of France, had recently recovered from their overthrow at Mühlberg (§ 317), and were in process of winning legal toleration from the Emperor. This they formally obtained by the *Religious Peace of Augsburg*, 1555; and for the next sixty years Germany lay in broken rest under Charles's brother Ferdinand and his descendants (§ 378). Charles V.'s failure in Germany, and the approaching partition of his dignities between his brother and his son, made him welcome Philip's marriage with Mary (Table, p. 190).

IV. Philip and Mary, 1554–1558.

§ **328. The Reconciliation with Rome, November 1554.**—These broader political results of the Spanish marriage were remote and problematical: its effects on the strictly ecclesiastical situation in England were immediate. Mary's third Parliament reversed the attainder of Cardinal Pole, and repealed all anti-Papal legislation since the twentieth year of Henry VIII. (§§ 290–298). Pole returned to England as Papal Legate, and on November 30 formally received the submission of the nation, as represented by the kneeling Queen and Parliament, to the Holy See. This recognition, like the previous repudiation, of the Papal supremacy was achieved by the civil and ecclesiastical assemblies of the land under the guidance of the reigning monarch. It is worth noting that the laity, as represented in Parliament, agreed to the renewal of the ties between the Church of England and Rome only on the express stipulation that the ecclesi-

astical property which had changed hands should not be restored to its former owners (§§ 301, 305). Both Mary and the Pope had to accept this condition; and when Mary obtained the assent of Parliament to divest herself of the first-fruits, she was not allowed to pay them over, as before, to the Papacy (§ 298). These facts illustrate both the power of Parliament and the religious attitude of the nation.

§ **329. The Marian Persecution, 1555–1558.**—Early in 1555 Parliament revived the anti-Lollard statutes passed during the reigns of Henry IV. and Henry V. (§§ 225, 232); and, armed with these powers, the Government began that persecution of heretics which has earned for the Queen and for Bonner the epithet of "Bloody." Altogether about three hundred persons of all ranks and ages were burnt at the stake, mainly in the South-east of England, the part most exposed to Continental influences. Amongst the more distinguished victims were John Hooper, Nicolas Ridley, Hugh Latimer, and Thomas Cranmer, who had respectively occupied the sees of Gloucester, London, Worcester, and Canterbury. The persecution, which was much more severe than any other recorded in English History, has been ascribed to the initiative of various persons—Mary herself, Bonner, Gardiner, and Pole, who succeeded Cranmer as Primate of All England. The authorship of the persecution, however, is less important than its results. It began after, and was generally considered a consequence of, the Spanish marriage: it inspired the bulk of the English nation with a great horror of "Popery" and Spain (§§ 346, 367). Latimer's last words to Ridley at the stake were prophetic—"We shall this day light such a candle by God's grace in England, as I trust shall never be put out."

§ **330. Loss of Calais and Mary's death, 1558.**—While the persecution on behalf of Roman Catholicism was going on, England was dragged at the heels of Spain into a war against Henry II., in which Pope Paul IV. was the political ally of France. Early in 1558 the French took Calais, the last possession of England on the Continent (§§ 201, 246). Mary, already disheartened by her involuntary quarrel with the Papacy, by her husband's coldness, and by her childlessness, was driven distracted by the loss of Calais. She died of dropsy in November 1558, and was followed to the grave a few hours later by Cardinal Pole. Few rulers of England have so unswervingly done what they conceived to be their duty: yet all her earnest efforts were crowned by failure, and she had the bitterness of knowing that the daughter of the woman who had supplanted her mother would overthrow all her work.

CHAPTER XXVI.

ELIZABETH'S CHURCH SETTLEMENT, 1558–1570.

A. Personal History.—Daughter of Henry VIII. and his second wife Anne Boleyn; born at Greenwich, September 7, 1533; succeeded her half-sister as Queen of England, November 17, 1558; died at Richmond, March 24, 1603; buried at Westminster. *Principal* suitors: Philip II. of Spain; James Hamilton, Earl of Arran; Robert Dudley, Earl of Leicester; Emanuel Filibert, Duke of Savoy; the Archduke Charles of Austria; Prince Eric of Sweden; Iwan the Terrible, first Tzar of Russia (1533–1584); Charles IX. of France; Henry, Duke of Anjou (later, Henry III. of France); Francis, Duke of Alençon, later of Anjou.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Scotland.	Turkey.
Paul IV. (1555)	Ferdinand I. (1558)	Henry II. (1547)	Philip II. (1556)	Mary (1542) (Returns home from France, 1561)	Suleiman I. (1520)
Pius IV. (1559)	Maximilian II. (1564)	Francis II. (1559)			Selim II. (1566)
Pius V. (1566)		Charles IX. (1560)			

C. Topics of the Reign.

(i) **International**: *dealings with*—
- (1) Papacy: §§ 334–336.
- (2) France: §§ 332, 337, 338.
- (3) Spain: §§ 332, 336.
- (4) Scotland: §§ 332, 336–341.

(ii) **Constitutional.**
- (1) Succession Questions: §§ 332, 338, 339.
- (2) Elizabeth's Courtships: §§ 334, 339.
- (3) Church-settlement: §§ 333–5.
- (4) Penal Statutes: § 338.
- (5) Parliament: §§ 333, 338, 339.
- (6) Maritime Enterprise: § 331.

I. The Elizabethan Church-Settlement, 1558–1559.

§ 331. **Survey of Elizabeth's Reign, 1558–1603.**—"The spacious times of Great Elizabeth" have become proverbial. Her reign is marked by the settlement of the Church of England on a broad basis which still endures, by the elevation of the State of England to a front place in European politics which it has never

wholly lost, by an outburst of literary activity in which Marlowe and Shakspere, Spenser and Sidney, Hooker and Bacon are the leading names, by the spreading of English maritime effort into every sea under men like Gilbert, Drake, Hawkins, Frobisher, and Davys, by the close of the long warfare between England and Scotland, and by the completion of the first English conquest of Ireland. The manifold achievements thus baldly summarized, justify the pride with which Englishmen look back upon this forty years' reign; they also serve to throw into relief Elizabeth's share in the work. At the beginning of her reign the outlook, so far from being "spacious," was narrow and depressing in the extreme; and though she did not indeed make Shakspere or Drake, nor did she defeat the Armada, yet it was her personal influence on the conduct of the government that gave to her subjects the opportunities of which, even against her will, they availed themselves. Under the preceding Tudors, More and Tyndale, Surrey and Wyatt had done notable things in English literature, John Cabot and Richard Chancellor had done notable things in seamanship for England; but it was under Elizabeth that England attained the full fruition of the intellectual and geographical Renascence (§§ 264–266).

§ **332. Elizabeth's Title and its Gainsayers, 1558.**—When Elizabeth came to the English throne her realm was poor and distracted, and her own title was disputed. Her first business, therefore, was to obtain peace abroad: her second, was to secure peace at home by bringing about an ecclesiastical settlement which, if it did not satisfy, would at least pacify, all religious parties. The Anglo-Spanish war with France was still going on (§ 330), and it had been made more dangerous for England by the marriage, early in 1558, of the Dauphin Francis to Mary Queen of Scots (§ 377). If Elizabeth was illegitimate, if Parliament had no power to make good the defect of birth, and if the right to the English throne properly depended on hereditary descent alone, the Scottish Queen had indisputably a better claim to the crown of England than Elizabeth could show (Table, p. 176). Now all these positions were reasonable enough to be accepted by many Englishmen; and for many years Elizabeth's chief concern was to avoid giving sufficient offence to these legitimists to drive them to arms in support of their principles, and to prevent any foreign Power giving aid to English malcontents. She gained a breathing space, as she had already escaped execution as a traitor (§ 326), through the friendship of Philip of Spain, who, believing her to be a bastard, and suspecting that she was a heretic,

yet could not, as a politician, allow England to fall into the hands of the Stuart claimant, and pass from the Hapsburg to the Valois group of states (§ 327). Philip therefore insisted that England should be included in the general *Peace of Cateau-Cambrésis*, April 1559.

§ **333. The Church-Settlement, 1559.**—Elizabeth quickly gave proofs that, though there was to be a change of policy, the change would be moderate. While she stopped burnings and imprisonment for heresy, she also stopped unlicensed preaching by the Edwardian ministers who had taken refuge abroad during Mary's reign (§ 325). So also she retained Mary's Council, adding thereto William Cecil and Francis Walsingham, two men who were to be her chief advisers for well-nigh forty years (§ 359). In January she was crowned and met her first Parliament, whose first two Acts embodied the framework of the Elizabethan church-settlement :—

(i) *The* [*Second*] *Act of Supremacy* revives all Henry VIII.'s ecclesiastical legislation, save the *Statute of the Supreme Head* [§ 298] ; repudiates all foreign spiritual authority, assigning penalties for maintaining the spiritual or temporal jurisdiction of any foreign prince or prelate ; restores to the Crown its "ancient jurisdiction over the estate ecclesiastical and spiritual," and empowers the Crown to appoint Commissioners for the exercise of its jurisdiction [cf. §§ 300, 344] ; and imposes an Oath of Supremacy and Allegiance on all office-holders in Church or State.

(ii) *The* [*Third*] *Act of Uniformity* orders, under penalties of fine or imprisonment, the attendance of the laity at church on Sundays and Holy-days, and the use of a slightly revised edition of the Second Prayer-Book of Edward VI. [cf. §§ 322, 325].

§ **334. Elizabeth's Attitude to the Papacy.**—To the Church of England, as thus remodelled, Elizabeth required outward conformity from all, and from persons in authority a formal profession of obedience under oath. She herself as a subject had always conformed to the law of the land in these matters, and as a Queen she expected her subjects to follow her example of conformity. She did not exact belief in any cut-and-dried dogmatic system : it was not belief in the truth that she required, but conformity to the law. And she tried to make the law as palatable as she could to the varied tastes which the changes of the last thirty years had developed (§ 266). For instance, she dropped the title of "Supreme Head of the Church" in favour of the less aggressive title, "Supreme Governor of the realm in all causes ecclesiastical as well as civil;" she adopted both the formulae used in administering the Sacrament of the Last

Supper in the two Prayer-Books of Edward VI.; and she cut out of the Litany the prayer to be delivered "from the Bishop of Rome and all his detestable enormities." It is said that Pope Pius IV. in 1561 offered to authorize the use of this English Prayer-Book and Communion in Both Kinds if England would return to the Roman obedience; but it was practically impossible for the daughter of Anne Boleyn to recognize an authority which had declared, and must continue to hold, her mother's marriage invalid and herself illegitimate (§ 297). These same facts lay at the root of Elizabeth's refusal of Philip II.'s hand in marriage (§ 332).

§ **335. The Via Media of the Anglican Church.**—Despite Elizabeth's concessions, some one hundred and eighty-nine clergymen —including the entire bench of bishops (15), save Kitchen of Llandaff —declined to accept the Elizabethan church-settlement; and many who accepted it regarded it as merely a stop-gap reform. The former looked to Rome, apparently *semper eadem:* the latter looked rather to Geneva, the independent city-state in which the Frenchman John Calvin had been building up a new dogmatic theology, and in which many Englishmen had taken refuge from the Marian persecution. It was the gradual drawing asunder of these rival schools that frustrated Elizabeth's attempt to find a *via media*—a "middle way" which all religious parties might conscientiously tread. Those who wanted to go back to the mediaeval ideal of a visible universal Church, outwardly united, owning obedience to the Bishop of Rome (*Roman Catholics*), and those who wished to move still farther away from the forms in which that ideal had clothed itself (*Puritans*), slowly withdrew from the Church of England (§§ 342–4, 348). The circumstances of the time gave these attempts at withdrawal a political significance; and they were treated as seditious or treasonable by Elizabeth's Government.

§ **336. International Conditions of the Reign.**—The Anglican church-settlement, Elizabeth's position on the English throne, and the independence of England—three things quite separable in thought—were so closely connected in fact that all Elizabeth's irreconcilable enemies are found to be adherents of Rome, all her stoutest defenders (not necessary all her allies) are found to be opponents of Rome. Political and national necessities, far more than religious convictions or preferences, caused Elizabeth to drift into a position of practical headship over the Protestant Powers of Europe, and the bulk of Englishmen to glory in the name of Protestant. The permanent forces ranged in opposition to Elizabeth

may always be labelled Roman Catholic; but these forces were embodied in different leaders from time to time. The front rank of the opposition was successively held by Mary Queen of Scots (§§ 337–341), the Papacy itself (§§ 342–352), and Philip of Spain (§§ 353–358). All these attempted to turn the internal elements of dissatisfaction existing in England against Elizabeth.

II. The Struggle with Mary Queen of Scots, 1559–1569.

§ **337. The Scottish Reformation, 1557–1560.**—By the death of Henry II. in July 1559, his son Francis and his daughter-in-law, Mary Queen of Scots, were suddenly elevated to the throne of France; and despite the terms of the *Peace of Cateau-Cambrésis* (§ 332), they resolved to strain every resource for making good their claims to the throne of England also. They had to begin by obtaining a firm grip of Scotland. There the Regent, Mary of Guise, had been attempting to suppress movements in favour of church-reform by the aid of French troops, and she had thus aroused a national outburst of anti-foreign and anti-Papal feeling even stronger than Mary Tudor had aroused in England. The Scottish Reformation was organized theologically by John Knox, an ardent disciple of Calvin's, and politically by the Nobles, acting as "Lords of the Congregation," under the leadership of Mary's illegitimate half-brother, James Stuart, Earl of Moray. The Reformers deposed the Regent in October 1559, and summoned Elizabeth to their aid. Elizabeth had theoretical objections to rebellion (§ 353), but still stronger practical objections to the establishment of French influence in North Britain. While declining, therefore, to marry the Earl of Arran and become Queen of Scotland, she promised help in the *Treaty of Berwick*, February 1560; and, aided by her troops, the Scottish Lords were able to compel the French garrison to evacuate Leith in July. At the end of the year Francis II. died, and his widow resolved to go back to Scotland.

§ **338. Mary's Widowhood in Scotland, 1561-1565.**—Mary landed in Scotland in August 1561. She refused to be bound by that part of the *Treaty of Leith* which arranged for her renunciation of her English claims, but she accepted that part which left the settlement of the Scottish Kirk to the Estates. On that basis she aimed at building up a national party in Scotland which should be devoted to her person, and give her a strength greater than that which she had lost through the death of her French husband. Backed by her Scots subjects she hoped to be able to unseat

Elizabeth, and then, throwing off the mask, to restore Roman Catholicism throughout the island of Britain. The two queens were evenly matched in personal capacity : Mary was younger and more winsome, but less cautious than Elizabeth ; both were equally persistent in their respective aims, and equally unscrupulous in their choice of means. During the four years which Mary patiently devoted to strengthening her position in Scotland, Elizabeth sent some help to the Protestant insurgents, called *Huguenots*, in France —in the course of which she held Havre for nine months (1562–3) —and passed her first penal statute against the English adherents of the See of Rome (§ 343).

§ **339. The Succession Question in England, 1565-1567.**— Mary's first overt act of hostility to Elizabeth was her marriage, in July 1565, to her cousin Henry, Lord Darnley (Table, p. 176). She thus strengthened her English claims by uniting them with those of the next-of-kin ; and when, in June 1566, she gave birth to an heir —James, the future King of England (§ 369)—the English demand that Elizabeth should make provision for the future by either marrying a husband, or naming a successor, became loud and firm. The demand was formulated in Elizabeth's second Parliament (1566), and pressed so keenly that she was constrained to forbid the discussion. The Commons protested against her intervention as an infringement of their privilege of Freedom of Debate ; and after a struggle, Elizabeth gave way on the point of Privilege, while Parliament, in return, dropped its demands. Elizabeth saw the difficulties in the way of making a decision much more clearly than either her professional advisers in Council, or her amateur advisers in Parliament. She could neither marry nor name a successor without offending one or other of the religious parties whom, by temporizing and feeding with hopes, she hoped to reconcile equally with her rule. Among the many suitors for her hand during this period the chief had been two Roman Catholics, Philip of Spain and his cousin the Archduke Charles (Table, p. 190), and two Protestants, Eric, son of Gustav Wasa of Sweden, and Robert Dudley, Earl of Leicester, fifth son of the Duke of Northumberland (§§ 321, 324). Philip was the most powerful personage in Europe ; Leicester was the man she loved most dearly : she refused their offers, as she refused all other offers, mainly because she believed that to commit herself to a husband and a clear line of policy would plunge England into civil war. The possibility of her marriage was a diplomatic weapon, the handling of which delighted both her

queenly instincts and her woman's vanity: to marry would have disarmed her and possibly given her a master. For these reasons she remained a "Virgin Queen"; and for similar reasons she declined to adjudge the succession either in favour of the parliamentary claims of the House of Suffolk (§ 314), or in favour of the hereditary claims of the House of Stuart (§ 369).

§ **340. Mary's Fall and Flight to England, 1567-1569.**—The results of Mary's adventures in matrimony seemed to justify Elizabeth's preference for spinsterhood. Darnley, a jealous and vicious weakling, was murdered after less than two years of married life; and when Mary proceeded to marry his murderer, James Hepburn, Earl of Bothwell, she became suspected of conniving at the murder, and was attacked by the Scottish nobility. Her defeat at Carbery Hill, in June 1567, was followed by her deposition and imprisonment; and when she escaped from prison in May 1568 she was defeated by Moray at Langside, near Glasgow. Her subsequent flight to England placed Elizabeth in an embarrassing position: was she to restore her rival, or let her go free to make friends elsewhere, or try to keep her out of harm's way by detaining her in captivity? After a Royal Commission, sitting at York, had held a brief enquiry into Mary's conduct—leaving her character in the position it still occupies of an unsolved problem—it was decided to adopt the method of disguised imprisonment (§§ 352, 355).

§ **341. The Rising of the Northern Earls, 1569.**—For the next nineteen years Mary Queen of Scots remained in England and became the centre of a long series of intrigues against Elizabeth. When the plots were thickest, she was made a close prisoner: at other times she was treated as a kind of compulsory guest. She had not been in England much more than a year when, in October 1569, the murmurings of the Catholic North broke out into open rebellion (cf. § 303). The object was to rescue Mary, place her on the English throne, marry her either to the Duke of Norfolk or to Don John of Austria, and restore England to the Roman obedience. The Earl of Sussex, President of the North, suppressed the rising with difficulty: its leaders, Thomas Percy and Charles Neville, Earls of Northumberland and Westmorland respectively, took refuge in Scotland. There the "Queen's Party" raised its head in consequence of the English insurrection and the assassination of the Regent Moray in January 1570; and it was only by the intervention of Elizabeth in 1573 that the Castle of Edinburgh was recovered for the young King.

CHAPTER XXVII.

THE STRUGGLE FOR NATIONAL INDEPENDENCE, 1570–1603.

A. Personal History.—See previous chapter.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Scotland.	Turkey.
S. Pius V. (1566)	Maximilian II. (1564)	Charles IX. (1560)	Philip II. (1556)	James VI. (1567)	Selim II. (1566)
Gregory XIII. (1572)		Henry III. (1574)		(His mother Mary deposed, 1567: executed, 1587)	Murad III. (1574)
Sixtus V. (1585)	Rudolf II. (1576–1612)				
Urban VII. (1590)					
Gregory XIV. (1590)		Henry IV. (1589–1610)			
Innocent IX. (1591)		(*first* Bourbon *King of France*)			Muhammad III. (1596–1603)
Clement VIII. (1592–1605)			Philip III. (1598–1621)		

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) Papacy: §§ 342, 343, 345, 346, 349–351.
- (2) France: §§ 345, 346, 348, 353, 354, 357.
- (3) Spain: §§ 345–9, 351–358.
- (4) United Provinces: §§ 352, 353.
- (5) Portugal: §§ 352, 357.
- (6) The East Indies: § 357.
- (7) Scotland: §§ 353, 355.

(ii) **Constitutional**.
- (1) Royal Succession: §§ 343, 355.
- (2) Elizabeth's Courtships: §§ 345, 349, 353.
- (3) Church: §§ 343, 344, 348, 351, 359. [359.
- (4) Penal Statutes: §§ 343, 350,
- (5) Parliament: §§ 343, 344, 347, 348, 350, 359, 360.
- (6) Plots: §§ 341, 347, 352, 355.
- (7) Maritime Enterprise: §§ 346, 349, 354, 356, 357.
- (8) Ireland: §§ 347, 351, 358.

I. The Papal Attack, 1573–1584.

§ **342. Papal Bull of Deposition, 1570.**—When Mary passed behind the scenes as a captive, the leadership in the attacks on Elizabeth was assumed by the three energetic Popes who successively held office from 1566 to 1590—Pius V., Gregory XIII., and Sixtus V. These Popes put themselves at the head of the movement, known as the Counter-Reformation and formulated at the Council of

Trent (1545–1563), which was making firm the hold of Rome on South Europe, and was winning ground from Protestantism even in Germany itself. Their plan of action against England was to keep up the spirits of the waning majority that still clave to Rome in their hearts (§ 335), and, when a suitable opportunity should present itself, to set Mary on all the three British thrones by means of a rising of English Romanists backed by foreign help. But Pius V., like Paul III. thirty years before (§ 304), missed the great opportunity offered by the Northern Insurrection, and did not declare open war on England until the following year. In May 1570 he published in England his *Bull of Excommunication and Deposition* against Elizabeth. This Bull, known from its opening words as *Regnans in Excelsis*, strictly charged all good Catholics to avoid the sin of keeping any oaths of allegiance to Elizabeth, who, being a bastard, a heretic, and a usurper, was unfit to rule over Christians. The Bull called upon all Englishmen to choose once and for all between the Pope and the Queen: it is one of the great landmarks of English History.

§ **343. English Anti-Papal Legislation, 1571.**—English dislike of foreign interference enabled Elizabeth to make a quick and defiant retort to the Bull. Her third Parliament declared it to be high treason to claim Elizabeth's crown, to affirm, without parliamentary authority, that any other person ought to be reigning instead of Elizabeth, or to call her "a heretic, schismatic, tyrant, infidel, usurper of the crown." By another Act, Parliament made it high treason to import Papal Bulls or reconcile persons to the See of Rome, and subjected to the penalties of praemunire all who imported or used religious symbols and pictures blessed by the Bishop of Rome or his deputies. No religious belief or conscientious scruple was allowed to excuse attempts to upset the existing political status of England, as a sovereign power whose rulers were responsible to God alone (cf. § 95).

§ **344. The Rise of Puritanism, 1566-1571.**—The political attack of the Papacy was met by political measures of defence; but when certain members of the House of Commons sought to use the attack as a reason for further reformation of the Church, Elizabeth barred the way. She held that her supremacy over the Church included the sole right of initiative in ecclesiastical legislation. When, therefore, Strickland introduced a Bill for the amendment of the Prayer-Book in the session of 1571, she ordered him to absent himself from the House; and though she recalled the order, when

the Commons insisted that it was an infringement of their privilege of Freedom of Debate, the objectionable Bill was dropped (cf. § 339). Quite apart from the point of method, Elizabeth did not wish the Prayer-Book or any part of her church-settlement to be tampered with: she thought the nation had had enough of changes, and wished them to grow accustomed to her compromise. But the innovating party, no less than the reactionary party, was becoming aggressive: in 1565 they had protested loudly against Archbishop Parker's enforcement of the use of vestments; and about that time their demands for a "purer" form of worship won them the nickname of "Puritans." As yet, these Puritans conformed to the Church, but strove to mould it to their liking (§§ 364, 372). The Court of High Commission—a mixed body, to which the disciplinary powers of the Royal Supremacy were delegated from time to time (§§ 333, 400)—had much ado to keep them in order; and the Star Chamber sought to prevent the publication of their opinions by keeping a strict watch over the number and products of the Printing Press (§ 264). The rule of the Church, as by law established, was much clearer in ritual than in doctrine. In 1571, therefore, Parliament passed a law requiring all Anglican clergymen to assent to the *Thirty-nine Articles of Faith and Religion*—which Queen and Convocation had constructed in 1563 out of the *Forty-two Articles* of Edward VI.'s reign (§ 322).

§ **345. Attitude of France and Spain to Elizabeth, 1570.** —The Pope had declared war against Elizabeth, but he found it difficult to marshal his forces for the attack: the English Romanists dared not move without foreign help; and the two chief princes who were pledged to the Papacy were much more influenced by their political jealousies than by their religious duty of joining in a crusade against the heretic queen. Besides, both Philip II. and Charles IX. had special difficulties about 1570. Philip's chief difficulty lay in the Netherlands, which had fallen to his share in the partition of the Hapsburg inheritance (§ 327), and where his attempts to establish a centralised despotism, ecclesiastical and civil, on the ruins of local liberties had raised serious disturbances. From 1567 to 1573 the Duke of Alva was engaged there in restoring peace by high-handed measures which roused a deeper resentment than they stilled. France, under the weak descendants of Francis I. (1547–1589), was a prey to party-struggles and religious wars: its foreign policy was uncertain in the extreme. At the beginning of Elizabeth's reign it was ranged on the side of Mary against

Elizabeth; but the dissolution of the Valois-Stuart connection had changed the situation (§§ 337, 338). On the whole England and France had so much to fear from the might of Philip, should he once surmount his domestic difficulties, that they constantly tended towards amity. When Pope Pius launched his Bull against Elizabeth in 1570 active negotiations were proceeding for her marriage to Henry, Duke of Anjou, younger brother and afterwards successor of Charles IX.; and throughout the reign alliance with France was the corner-stone of Elizabeth's foreign policy.

§ **346. English Trespassing on Spanish Preserves, 1562–1568.**—England and France were alike interested in keeping Philip's hands too full with his own concerns to leave him leisure to meddle in other people's. They were especially anxious to prevent him from getting a firm footing in the Netherlands, lest thereby he should acquire a good vantage ground for aggressive action against either State. Both Governments, therefore, connived at the action of their own troublesome religious malcontents in giving aid to the growing Protestant element in the ranks of the Netherlandish insurgents. Elizabeth and her subjects were also able, without going to open war, to cripple Philip by cutting off his money-supplies. In 1568 Elizabeth hampered Alva seriously by the temporary detention of some treasure-ships which were conveying money for the pay of the Spanish troops in the Netherlands. In the same year Francis Drake had his first serious brush with the Spaniards in the New World. Spain and Portugal considered—and the Pope Alexander VI. had formally sanctioned the view in a Bull of 1495—that they had the sole right of visiting and trading with those parts of the world which they had revealed to the knowledge of Europe. But after long acquiescence in this assumption, the hardy seamen of Devon had begun to visit the Spanish dominions in America—combining, like the Norse vikings of old, the functions of trader and pirate, as opportunity offered (§§ 34, 53). In 1562 John Hawkins began the lucrative business of supplying the Spanish colonies in America with negro slaves. This example was widely followed; the visits were regarded by the Spanish authorities as unlawful, and English traders were punished, when caught, either as trespassers or as heretics; stories of Spanish cruelty spread abroad; and the first ten years of Elizabeth witnessed the beginning of a chronic state of war between Englishmen and Spaniards in the dark corners of the West Indies and the Spanish Main. "There was no peace beyond the [Papal] Line."

§ **347. The Ridolfi Plot, 1571.**—Though Philip suffered much from the action of Elizabeth's subjects in America and the Low Countries, he did not wish as yet to cumber himself with a war against England. He would not even help the Northern Rising of 1569, or the contemporary insurrections in the South of Ireland (§§ 341, 351). But his objections to Mary as a rival of Elizabeth had disappeared with the former's French connections; and he therefore gave his secret patronage to the more promising schemes for Elizabeth's removal. One of the most notable of such schemes was arranged in 1571 by Robert Ridolfi, a Florentine banker resident in England. Elizabeth was to be murdered; Alva was then to land 10,000 troops to aid Mary to obtain the throne; Mary was to marry the only English Duke, Norfolk, who was to return to the Roman obedience. About half the peerage, it is said, agreed to support the scheme. Cecil, now Lord Burghley, discovered the plot towards the end of 1571; and in the following year Norfolk was attainted by Parliament and beheaded. Parliament also urged the execution of "the pretended Scottish Queen," but Elizabeth would not yet listen to the united prayers of the Commons and of her ministers. But like her father (§ 291), she used the parliamentary demonstration as a proof that she had the nation on her side.

§ **348. Murmurings against Episcopacy, 1572.**—The discovery of Spanish complicity in the Ridolfi plot caused a brief rupture between England and Spain; the slaughter of Huguenots, known as the Massacre of St. Bartholomew's, August 24, 1572, caused a momentary breach with France (§ 345); and both circumstances alike quickened the rising Protestantism of England. The failure of Elizabeth's fourth Parliament in its first session, 1572, to pass any bills either for the reform of the Church, or for the further repression of "Papists," called forth a strong protest entitled, *An Admonition to Parliament.* The author was Dr. Thomas Cartwright, sometime Professor of Divinity at Cambridge—then, as usual, the home of "advanced" opinions (§ 308), in opposition to the normal conservatism of Oxford. In this "Admonition" Cartwright maintained the principle of the independence of the national church from the control of the civil government, and, for the better attainment of this independence, urged the substitution of a *presbyterian* for an *episcopalian* polity in the Church of England. The fundamental idea of Presbyterianism is that all the ministers of the Gospel, presbyters or elders, are by divine appointment equal in rank; it denies the right of any higher "order," such as bishops, "to lord it

over God's heritage;" and it lays great stress on the corporate action of the Church in assemblies. Cartwright's advocacy of Presbyterianism began a long controversy in England, but it had little effect at the time (§§ 402, 420). Elizabeth, a woman of action, was not fond of assemblies or debating-societies: she used Parliament and Convocation as little as possible; and in 1577 she suspended Grindal, Parker's successor as Archbishop of Canterbury, for refusing to suppress a particular kind of diocesan theological debates called *Prophesyings* (§ 372).

§ **349. Matrimonial and Maritime Speculations, 1572–1579.**—There was a comparative lull during the rest of the seventies. At times, when an intervention of England or France, jointly or separately, in the Netherlands, appeared imminent, the negotiations for a marriage between Elizabeth and Henry II.'s youngest son, Francis, Duke of Alençon-Anjou, became active. This period was also full of those maritime exploits which have been glowingly depicted in Kingsley's *Westward Ho!* In 1576–7 Martin Frobisher made two voyages in search of a north-west passage to the Indies: he failed, but he has left his name in Frobisher's Strait. In 1575 an Englishman, John Oxenham, first sailed on the Pacific. Drake had caught sight of that Ocean two years before and vowed to sail an English ship in those seas. In 1577 he started on his three years' voyage round the world, in which, sailing round Cape Horn, he plundered the unprotected Spanish towns on the western coast of America, and returned by the Cape of Good Hope. Elizabeth apologized to Philip II., took her share of the booty, and gave Drake a knighthood.

§ **350. Jesuit Invasion of the British Isles, 1579–1581.**—During Drake's absence the onslaught which Pius V. had threatened was made by his successor, Gregory XIII. It is known as the Jesuit Invasion, because its chief instruments were members of that "Society of Jesus" which a group of zealous Spaniards had founded in 1540 for the preservation of the unity of the Latin Church, and which had done more than any other person or society in arresting the flowing tide of Protestantism in Europe. Gregory XIII. grew tired of waiting till secular princes were at liberty to devote their resources to the cause of the religion which they professed to make their dearest aim in life; and in 1579–1581 he despatched a small number of Jesuits to stir up disaffection throughout the British Isles. In Scotland the attempt, after a momentary promise of success, roused the nation to express its sense of peril in forming

the *First National Covenant*, 1581 (§ 395). In England the landing of the Jesuits, Campion and Parsons, in the spring of 1580, was the signal for the final abandonment of attempts at conciliation, and for an outburst of penal legislation against converts to Rome and their converters. At the end of the year Campion was caught and executed; and before the end of the reign more than two hundred persons died on the scaffold for their work in a cause which they considered religious, and which their captors with equal justice considered to be political (§ 329). The difference between the Marian and the Elizabethan persecution is simply that the former was carried out in the cause of religious tenets, the latter in the cause of national safety.

§ **351. Ireland under Elizabeth, 1558–1584.**—The Jesuit Invasion assumed its most dangerous aspect in Ireland. There, as we have seen (§ 311), Henry VIII. set himself seriously to the task of anglicising and anglicanising the natives. Whatever chances of success his schemes may have had were ruined by his death; the rapid and contradictory changes of the two short reigns which followed were even more unsettling to Ireland than to England; and Elizabeth practically had to begin her father's work over again. Ireland was regarded by Elizabethan politicians partly as a place which no other Power must be allowed to get, partly as a handy rubbish-heap on which to "plant" the offscourings of English society. Philip and Mary had started the method of plantation—*i. e.* of settling colonies of Englishmen on the lands of dispossessed Irish tribes—in King's County and Queen's County. Various attempts were made under Elizabeth to repeat the experiment—especially in the parts where the rule of England was still merely nominal, in Ulster and Munster. Shane O'Neil, a chieftain of Tyrone, kept Elizabeth's forces at bay during the first six years of her reign. The fear of a plantation in Munster caused risings by the Desmond Geraldines in 1569 (§ 347), and again in 1579. It was the second Desmond Rising which Gregory XIII. hoped to turn to his own purposes (§ 350): the agrarian discontent against England was to be fanned into a religious uprising on behalf of the Papacy. The rebellion broke out; a Papal Legate and a few Spanish soldiers landed to support it in 1580; Lord Grey de Wilton—who figures as *Arthegal* in the "Faërie Queen" of his friend, the poet Spenser—butchered the Spanish at Smerwick, and crushed the rebels by sword, by fire, and by famine. The last sparks of the rebellion were stamped out by 1584, and the threatened plantation took place. Edmund Spenser and Sir Walter Ralegh were among the persons

to whom the confiscated lands were allotted for purposes of plantation or colonization.

§ **352. The Revolt of the United Netherlands, 1581–1584.** —The slenderness of Philip's support of the Desmond Rising was due to his other engagements: in 1580 he was making good his hereditary claims to Portugal; and in 1581 the Northern Netherlands abandoned the attempt to wring constitutional safeguards from him (§ 345) and declared themselves independent. It was, however, becoming more obvious that his war against England could not long be postponed; and Mary's adherents again began to be active. In 1583 Throgmorton's plot to assassinate Elizabeth was discovered: in the following year a successful attempt was made to assassinate the founder of the Dutch Republic, William the Silent, Prince of Orange (§ 361).

II. The Struggle with Spain, 1585–1603.

§ **353. Elizabeth's Intervention in the Netherlands, 1585–6.** —The death of William the Silent and of Elizabeth's most enduring suitor, the Duke of Alençon-Anjou, in the summer of 1584, had much influence in forcing matters to a crisis. William's death made the speedy subjugation of the revolted Netherlands highly probable: the certainty that their conquest would be followed by an invasion of England compelled Elizabeth in self-defence to give a helping hand to people doubly objectionable to her, as being Calvinists and rebels against lawful authority (§ 337). In 1585 she sent her old friend Leicester with a powerful army to the Netherlands: the enterprise is less notable for its achievements than for the death of Sir Philip Sidney, one of the best types of Elizabethan chivalry, in a skirmish near Zutfen, in September 1586. Again, the fear lest Elizabeth should meet the same fate as William the Liberator caused a great outburst of patriotic feeling in England: one effect of this was the formation of a strong private Association pledged to prevent Mary from profiting by the murder of her rival (cf. § 523).

§ **354. Philip's Alliance with the Guises, 1585–6.**—The death of Alençon-Anjou made it quite certain that the male line of the House of Valois would expire with Henry III. (Table, p. 190). The next heir was Henry of Bourbon, King of Navarre; the fact that he was a Huguenot rendered him objectionable to the Roman Catholic majority in France headed by the House of Guise; and in 1585 their leaders entered into a compact with Philip to prevent the Bourbon heretic from coming to the throne. With France friendly and the Netherlands all but conquered, Philip would at length be

free to carry into effect the Papal deposition of Elizabeth (§ 342). The continued plundering by English seamen in his domains was also rendering him desperate: in 1586 Drake, with the permission of the Queen, plundered Santiago in the Cape Verde Islands, San Domingo in Hispaniola (Hayti), and Cartagena on the Spanish Main.

§ **355. Execution of Mary Queen of Scots, 1587.**—Philip, despite his provocations, was not eager to undertake an expensive expedition, the main benefit of which would go to another person. But in February 1587 Mary was at length brought to the block on the ground that her promotion, or at least encouragement, of Babington's plot to assassinate Elizabeth had exposed her to the death-penalties of the *Succession Act* of 1571 (§ 343). The justice and the wisdom of her execution have alike been disputed: what is quite certain is that her death and her bequest of her English claims to Philip were the one thing necessary to induce Philip to attempt the invasion of England. He had long been preparing his fleet, or armada; and the expedition would probably have started in the very year of Mary's death, had not Drake destroyed a portion of it in Cadiz harbour. This exploit Drake pleasantly styled "singeing the King of Spain's beard."

§ **356. The Coming and Going of the Spanish Armada, 1588.**—Elizabeth had so successfully staved off Philip's invasion for thirty years that she could no longer believe in its taking place. She therefore refused to follow her naval experts' advice to take the aggressive and destroy the different portions of the fleet piecemeal in the harbours of the Peninsula. The Armada, thus allowed to concentrate undisturbed, made its appearance off the Lizard on July 13, 1588. It sailed slowly up channel, and a fortnight later it cast anchor in Calais roads: there it was to cover the embarkation of 20,000 veterans under the Prince of Parma, Philip's commander in the Netherlands. Meanwhile the English fleet—including only 34 royal vessels and five times that number of private ships—had been steadily following the Armada, inflicting what damage it could; and before Parma's embarkation could take place, the English commanders threw the Armada into confusion by sending fire-ships adrift in their midst, and then, attacking before the Spanish ships could re-form, drove the invading fleet northwards. The south-west wind which had hitherto favoured the Armada now stiffened into a gale; it was impossible to return through the Straits of Dover; and in attempting to return round the weather-beaten coasts of Scotland and Ireland, most of the ships were wrecked. Only 53 out

of 132 vessels reached Spain in safety. Elizabeth and Philip agreed in ascribing the failure of the enterprise to wind and wave; but in point of fact the Armada was foiled in fair fight before it was ruined by foul weather. The superiority of the English in both the building and the handling of ships gave them the advantage in the running fight up Channel and in the final victory off Gravelines. In that victory Drake and Hawkins took a leading part under the supreme command of Lord Howard of Effingham.

§ **357. Results of the Defeat of the Armada.**—The defeat of the Armada forms the climax of the Tudor Period (§§ 261–263, 361–363). It finally secured the civil and ecclesiastical independence of England; it made the Tudor despotism cease to be a necessary condition of English safety, and so left the way open for the parliamentary struggle of the following century; it gave the English the command of the sea and a fuller confidence in themselves. It was now only a question of time when the English would effectively claim a share in the New World, and in the commerce of the East. Sir Walter Ralegh's futile attempts to colonize Virginia in the decade preceding the Armada were not, indeed, destined to be successfully followed up during the reign of Elizabeth; but in 1600 an East India Company was founded in London and began to trade with the East Indies. During the rest of the war with Spain the initiative fell to England: the chief exploits were the Portugal Voyage, or Counter-Armada, of 1589, in aid of the native claimant of the Portuguese throne against Philip II. (§ 352); Grenville's heroic fight on the *Revenge* "at Flores in the Azores" in 1591; the capture of Cadiz by the young Earl of Essex in 1596; and the Island Voyage of Essex and Ralegh to the Azores in 1597. Elizabeth also played her part in securing the throne of France to Henry IV. in the nine years' war which ended in 1598 with the *Edict of Nantes*, granting toleration to the Huguenots, and with the Franco-Spanish *Peace of Vervins* (§ 371). It was largely due to the efforts of England that nearly all Philip II.'s enterprises had ended in failure before his death in 1598.

§ **358. The Rebellion of Hugh O'Neil, 1596–1603.**—Philip II.'s death had a fatal effect on the most promising effort which the Irish have ever made to regain their independence. In 1596 Hugh O'Neil, who bore the title Earl of Tyrone, foreseeing the impending overthrow of his semi-independence in Ulster, resolved to make an attempt to thrust the English altogether out of Ireland. His victory at the battle of the Yellow Ford in 1598

encouraged most of the Irish tribes, and many of the Anglo-Irish families—the old foes being reconciled by their common allegiance to Rome and their common danger of being despoiled by new hordes of Englishmen (§ 351)—to throw in their lot with the O'Neil. Essex, the favourite of Elizabeth's declining years, utterly failed to do anything effective against the rebellion in 1599; and it took his successor, Charles Blount, Lord Mountjoy, three years to bring O'Neil to submission a few days before Elizabeth's death. The most important event in the later history of the rebellion was the occupation of Kinsale by a large Spanish force in the last three months of the year 1601.

§ **359. Recusants and Separatists, 1588–1598.**—Though the defeat of the Armada had removed the danger of foreign conquest, the coercive legislation against religious malcontents continued to be enforced (§§ 343, 350). Further laws were passed in 1593 against both those who refused to go to church in obedience to the Pope's orders (*Recusants*) and those who stayed away from church because they considered the Elizabethan ritual "Popish" (*Separatists*). Three of the latter class, Greenwood, Barrow, and Penry, were executed in 1593. Five years later, the death of Burghley and Philip II. deprived Elizabeth of her best friend and her worst enemy; she had done her work and outlived her generation; she grew weary of the wrangling among the young men around her—Sir Robert Cecil, Burghley's younger son, Sir Walter Ralegh, and Robert Devereux, Earl of Essex. Essex was her favourite, and he returned her favours, after his failure in Ireland, by making insurrection against the ministers of her choice.

§ **360. Elizabeth's Last Years and Death, 1601–1603.**—In the year of Essex's execution, 1601, Elizabeth met her tenth and last Parliament. This Parliament selected the most successful experiments of the Tudor period in providing food and shelter for the helpless poor, and punishment for the wilfully idle, and embodied these in the Act known as the *First General Poor Law* (§§ 305, 319). It was this Parliament also which protested so loudly against Elizabeth's practice of granting monopolies—the exclusive right of making and selling articles of commerce (§§ 379, 381)—that Elizabeth felt constrained to promise the withdrawal of such monopolies as should prove harmful to the consumer. There were signs that Parliament was growing less submissive, and accepted Elizabeth's masterfulness towards it only out of respect for her age. Worn out by work and worry, she died in March 1603.

University Correspondence College Press
John Bartholomew & Co Edin.

BOOK VII.

THE PURITAN REVOLUTION, 1603–1660,

BEING

THE STUART PERIOD: PART I.

I. General Introduction.

§ **361. Retrospect, 1485–1603.**—In the preceding book we have watched the many-sided development of the great movements known as the Reformation and the Renascence, with particular attention to England. In *international* politics we have seen the House of Hapsburg—long united under the Emperor Charles V., and then divided into two branches, of which the Spanish branch under Philip II. was the more prominent—take a leading position in Western Europe (Table, p. 190); and we have seen the might of Spain successfully resisted by France, under the new reigning House of Bourbon, by the United Netherlands, under the House of Orange, and by England, under the House of Tudor (§§ 352–357). In *constitutional* politics we have seen England, in the hands of a strong monarchy trusted by the people, asserting its independence, both as a Church and as a State, of all foreign control, and successfully vindicating that independence by the defeat of the Spanish Armada in 1588. The Tudor Period also witnessed the incorporation of Wales in the kingdom of England (§ 306); the completion of the first English conquest of Ireland (§ 358); the gradual tendency of the kingdoms of England and Scotland towards personal union (§§ 278, 337); the loss of the last foothold of England on the mainland of Europe (§ 330); and the small beginnings of English commercial and colonial enterprise outside Europe (§ 357).

§ **362. International Politics, 1603–1688.**—In the seventeenth century France gradually assumed the leading position held by Spain in the sixteenth century; Henry IV., Cardinals Richelieu and Mazarin, and Louis XIV. successively guided her fortunes; and one and all made it their first object to gain strength and territory at the expense of the House of Hapsburg. During the first half of the century the Austrian branch of the Hapsburgs was the principal object of attack: the attempt of the Hapsburg Emperor to crush Protestantism and unite Germany under his rule was thwarted in the Thirty Years' War (1618–1648), as in the Schmalkaldic War (§ 317),

by the efforts of France. After the German part of the war was ended by the great *Peace of Westfalia*, 1648, France continued fighting with Spain until the *Peace of the Pyrenees*, 1659, and a few years later began the two wars which were concluded respectively by the *Peace of Aachen*, 1668, and the *Peace of Nymwegen*, 1678. England was too much occupied at home (ch. xxix., xxx.) to play any great part in the Thirty Years' War, but she intervened in its Franco-Spanish continuation during Cromwell's time, and in the two wars which followed it in the reign of Charles II. Neither her non-intervention nor her method of intervention (except, perhaps, under Oliver Cromwell) were greatly liked by the average Englishman: in foreign politics, as in domestic politics, the Stuarts commonly failed to carry the approval of their subjects. But the times were difficult; and it was only by slow degrees that a national policy was evolved. At first both England and the United Provinces tended to retain their Elizabethan attitude of alliance with France and hostility towards Spain; in the middle of the century the English and the Dutch came to blows over the division of the colonial spoil which they had wrested from the Hispano-Portuguese monarchy (§ 252); and it was not till after the Protestant Revolution of 1688 that the Protestant Sea-Powers agreed to shelve their commercial differences and make common cause with the Protestant principalities of Germany against Louis XIV., the champion of Roman Catholicism (ch. xxxv.).

§ 363. The Hundred Years' Constitutional Conflict, 1588–1688.—The defeat of the Spanish Armada definitely decided that no *external* power was to control England, and so made the path safe for disputes as to what *internal* power should control her. The Tudor monarchs had had things pretty much their own way; and the Stuart monarchs thought that they had a right to the same authority as their predecessors had possessed. But both circumstances and persons had changed. With the removal of the possibility of foreign conquest, professedly due to either religious or dynastic motives (§ 336), vanished also the need of the Tudor dictatorship (§ 263). Nor were the Stuarts made of the same stuff as the Tudors: they had less administrative ability; they were less keen to distinguish between the possible and the impossible; and they had a positive genius for getting out of touch with their subjects. The manner in which the Stuarts exercised the powers of the Kingship led to a series of varied attacks on the powers themselves: hence the Stuart Period was a time of almost chronic constitutional conflict, in the sphere of both Church and State.

§ **364.** (i) **In the Church.**—It was the religious question which throughout gave its distinctive colour to the period. Elizabeth's settlement had been purposely broad, so that, if possible, every one might find room for his opinions, as heretofore, within the pale of the English Church (§§ 333–335). But men were too deeply interested in religious matters to be content to conform: they wanted the Church remodelled to suit their ideas (cf. §§ 342, 344, 348). Now the Stuarts and their bishops, from the beginning, were out of sympathy with the majority of Englishmen. They began by trying to soften down the *Thirty-Nine Articles* of 1563–1571 in accordance with the teachings of the Dutch theologian Arminius: later, under Laud's influence, they endeavoured to restore the pre-Reformation ceremonial of the English Church (§ 394). But the mass of Englishmen were Calvinistic in *doctrine*, and Puritan in *worship*; and so it came to pass that, offended in both these respects by the action of their ecclesiastical rulers, they grew dissatisfied with the existing system of *church-government* (§§ 402, 420). In the great struggle which took place in the middle of the century (1640–1660), Presbyterianism, an oligarchic form of church-government, and Congregationalism, a democratic form of self-government by voluntary associations, were successively tried and found wanting; and with the restoration of a modified Kingship in 1660 a modified Episcopacy was also restored (§§ 442, 443). At the end of the period the Church thus constituted succeeded in thwarting James II.'s attempt to lead or drive her back into the obedience of Rome (1689), but only on condition of permitting those Protestant Trinitarians who could not accept her ritual and government to worship as they pleased (§§ 499, 507). *Religious toleration*, still in its infancy, was the most novel and substantial result of the period: men were to be allowed, within certain limits and under certain disabilities, to live in habitual revolt against the law of the State in so momentous a thing as religion.

§ **365.** (ii) **In the State.**—Questions of civil politics were as varied in form as the ecclesiastical questions with which they were throughout intermingled. The Stuarts found the Kingship the dominant factor in English politics, and strove to make it the only one. In their attempt to set up a new theory of kingship—whereby it alone had a "divine right" to exist, and all other institutions and laws of the land rested on its sufferance—and in their efforts to turn the Tudor innovations in government into constitutional rules, they were slowly beaten all along the line. Parliament, looking back beyond that sixteenth century from which the Stuarts drew their

precedents, asserted as early as 1604 that it had as much right to live as the King had (§§ 374, 379, 400); by the Puritan Revolution which ended in 1660 it may be said to have made this assertion good (§§ 442, 443); by the Protestant Revolution of 1688–9 it laid the foundations, and did something towards erecting the superstructure, of that sovereignty of Parliament which was the very antithesis of *Jure Divino* Monarchy (§§ 500–502). So too with the pretensions based partly on this theory, partly on a late prescription: the King's claims to have powers of taxation by Prerogative—whether in the form of extra-customs dues (1606–1628), or grants of Monopolies (1624), or Forced Loans and Benevolences (1614-1628), or Tunnage and Poundage (1625–1641), or by the revival of obsolete ante-parliamentary taxes like Ship-Money (1634–1641)—to have summary powers of imprisonment like those which all other states but England allowed and still allow to be necessary for good government (1629, 1679), to have the complete control of the administration (1621, 1678), and to have some power of making (1610), and wholesale power of unmaking, laws (1673, 1689)—all these claims were successfully repudiated at the times indicated.

§ **366. General Results of the Period.**—Such were a few of the constitutional questions raised, and to some extent answered, during the Stuart Period. It is to be remembered that there were also constitutional questions being disputed in the sister-kingdoms of Scotland and Ireland; and that the settlement of each question in each kingdom was constantly liable to be affected by events in the other kingdoms and by international considerations. On the whole, England and Scotland obtained what they respectively wanted, while Ireland had to put up with what the two kingdoms in Britain chose to give her. For England itself, the main constitutional results were the complete break-up of her ecclesiastical unity, the definite acquisition by Parliament of an effective control over the raising and spending of public money, and the beginnings of the system by which Parliament obtained an equally effective, though less direct, control over the general conduct of affairs. *Beginnings* only: it is essential to realize that party-government and the ultimate sovereignty of the electorate, which are such familiar facts to us now, were the merest ideas in the seventeenth century (§§ 497–503).

II. The First Stuart Struggle, 1603–1660.

§ **367. The Two Main Phases of the Stuart Period.**—The above survey of the Stuart Period as a whole brings out the general

features which give it a distinctive character and unity of its own. But it is important to recognize that there was much diversity within this unity: both the prominent problems and the conditions under which they were taken in hand changed from time to time. There is especially a marked difference between the two principal phases of the period: the first Stuart struggle lasted nearly sixty years—from 1603 to 1660; the second Stuart struggle lasted only about half as long—from 1660 to 1688. The first struggle, or its crisis, is commonly known as the *Puritan* Revolution: the second struggle, or its crisis, is commonly known as the *Protestant* Revolution. These labels at once call attention to one of the striking differences between two phases of the Stuart Period. The first struggle, on its ecclesiastical side, turned on the question whether the Church of England should regard, as the Puritans wished, the Bible as its sole authority, or should also take into account, as Laud's school wished, the general tendencies of the tradition of the Universal (or Catholic) Christian Church: in other words, was the Protestant Church of England to be *Evangelical* or *Catholic?* In the second struggle the two sons of Charles I.'s Roman Catholic queen, Henrietta Maria, endeavoured to make the Church of England cease to be Protestant and rejoin the Roman communion. The majority of Englishmen had quite made up their mind that they would have nothing to do with the Pope: hence the second Stuart struggle was much shorter, simpler, and more decisive than the first. In the first struggle, Parliament was fighting for *existence:* in the second it was fighting for *power*. Another leading point of difference between the two phases is that in the second struggle foreign policy took a permanent place throughout, whereas in the first struggle international politics became prominent only in the third and sixth decades of the century.

§ **368. Chief Stages in the First Stuart Struggle.**—The first struggle falls into various sub-periods which mark more or less clearly defined stages of the constitutional contest. For the sake of clearness they may be thus set forth in numbered order:—

I. THE REIGN OF JAMES I., 1603–1625 (ch. xxviii.).

(i) For nearly nine years, 1603–1612, during Salisbury's ministry, James I. had a number of petty quarrels with his First Parliament (§§ 369–375): hence—

(ii) For another nine years, 1612–1621, he endeavoured to rule—except for a moment in 1614—without a Parliament (§§ 376–378).

(iii) During the last four years of his reign, 1621–1625, foreign affairs rose to the surface and formed the principal source of contention in James I.'s last two parliaments (§§ 379–381).

II. THE REIGN OF CHARLES I., 1625–1649 (ch. xxix., xxx.).

(i) During the first four years, 1625–1629, Charles made a series of attempts to reduce his first three parliaments to what he conceived to be their proper function—saying "yea" or "nay" according to his bidding (§§ 382–389).

(ii) In the next eleven years, 1629–1640, he ruled England without a Parliament, and managed fairly well until his church policy roused a resistance in Scotland, which he could not put down without the money aid of the English Parliament (§§ 390–397).

(iii) For two years, 1640–1642, he made concession after concession to his Fifth Parliament—only to find that there was apparently no limit to its demands, and that there seemed to be no other way of settling whether King or Parliament was to have the real mastery of public affairs than by an appeal to arms (§§ 398–405).

(iv) In August 1642 civil war broke out in England, as it had already broken out in Scotland (1638) and in Ireland (1641); and this war lasted, so far as England was concerned, until Charles took refuge with the Scots in 1646 (§§ 406–419).

(v) For nearly three years, 1646–1649, the captive king formed the active centre of intrigues which culminated in the second civil war of 1648, and the King's "execution" as a "traitor" on January 30, 1649 (§§ 420–424).

III. THE COMMONWEALTH, 1649–1660 (ch. xxxi.).

The King's attempts to do without Parliament were answered by the equally abortive attempts of Parliament to do without the King:—

(i) *The Parliamentary Republic*, 1649–1653, proved triumphant over its Irish, Scottish, and Dutch assailants, but was overthrown by its own army (§§ 425–432).

(ii) *The Presidential Republic*, 1653–1659, gave rise to many notable parliamentary, ecclesiastical, and diplomatic experiments, but fell to pieces after the premature death of its head, the Lord Protector Oliver Cromwell (§§ 433–439).

(iii) *The Year of Anarchy*, 1659–1660, was marked by renewed quarrels between parliamentary and military leaders, and was ended by Monk's restoration of the Stuarts (§§ 440–441).

CHAPTER XXVIII.

JAMES I., 1603–1625.

A. Personal History.—Son of Mary Queen of Scots, by her second husband and cousin, Henry, Lord Darnley; born in Edinburgh Castle, June 19, 1566; succeeded his deposed mother as James VI. of Scots, July 24, 1567; crowned at Stirling five days later; succeeded Elizabeth on the throne of England, March 24, 1603; crowned at Westminster, July 25, 1603; married Anne of Denmark (*d.* 1619), 1589; died at Theobalds, Herts, March 27, 1625; buried at Westminster. For his descent, see Table, p. 176: for his descendants, see Table, p. 280.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Turkey.	Elsewhere.
Clement VIII. (1592)	Rudolf II. (1576)	Henry IV. (1589) (*First* **Bourbon** *King of France*)	Philip III. (1598)	Ahmad I. (1603–1617)	Sigismund III., *Poland* (1566–1632)
Leo XI. (1605)				*Anarchy*	Gustav Adolf, *Sweden* (1611–1632)
Paul V. (1605)	Matthias (1612)	Louis XIII. (1610)		Murad IV. (1623)	
Gregory XV. (1621)			Philip IV. (1621)		Michael, *Russia* (1613–1645) (*the first Tzar of the House of* **Romanov**)
Urban VIII. (1623)	Ferdinand II. (1619)				

C. Topics of the Reign.

(i) **International**: *relations with*—
- (1) Spain: §§ 371, 373, 376, 377, 378, 380, 381.
- (2) The United Provinces: §§ 371, 380.
- (3) The Empire: §§ 375, 378, 380, 381.
- (4) France: §§ 371, 381.

(ii) **Constitutional.**
- (1) Succession Questions: § 369.
- (2) Church Questions: §§ 372–4.
- (3) Relations of England and Scotland: §§ 370, 374.
- (4) King and Parliament: §§ 369, 371, 374, 376, 379, 381.
- (5) Colonization: §§ 370, 377.

I. James I. and Salisbury, 1603–1612.

§ **369. James I.'s Accession and Title.**—On the death of Elizabeth, James VI. King of Scots was at once proclaimed King of England. He was the great-grandson of Henry VIII.'s elder sister Margaret (§ 278); and now that the male line of the Tudors was extinct he was the nearest heir to the English throne. He was accepted as such by Elizabeth and her people: the first Act of his

first Parliament declared that, on Elizabeth's decease, he had straightway become King "by inherent birthright and lawful and undoubted succession." No one paid any attention to the claims of the House of Suffolk, which had been given preference over the House of Stuart in Henry VIII.'s will (§ 314). There were technical difficulties about the legal validity of that will: besides, there were many practical advantages in the union of the two British kingdoms under one monarch. Towards the end of 1603 there was some talk of setting up Arabella Stuart in the room of her cousin, and also some talk of forcing James to grant some measure of toleration to Roman Catholics. The former scheme was called "the Main Plot," the latter, "the Bye Plot;" one or two persons were executed, and Ralegh was imprisoned, for treasonable complicity in them; but no proceedings were taken against the Lady Arabella until 1610, when her secret marriage with Sir William Seymour, the representative of the Suffolk claims, was thought dangerous enough to be punished by imprisonment (Table, p. 176).

§ **370. James I.'s British and Colonial Position.**—The accession of the Scots King to the throne of England and of its newly-conquered dependency, Ireland (§ 358), brought the whole of the British Isles for the first time under the effective rule of a single monarch. Constitutionally speaking, the three kingdoms retained their several legal, ecclesiastical, and parliamentary systems; but from an international point of view the three kingdoms were regarded, and indeed acted, as one. James himself desired to turn this *personal union* of England and Scotland into an even more complete amalgamation than that achieved a century later, in 1707; but the still-existing national jealousies were so strong as to thwart his project. He and his successors formally styled themselves in diplomatic documents, and on their coins, "King of Great Britain, France, and Ireland;" but "Great Britain" as a constitutional fact did not come into existence till Anne's reign. On the other hand, the real beginnings of what now we have come to call "Greater Britain" were made during the reign of the first English King who called himself "King of Great Britain." It was under James I. that Englishmen permanently established themselves in North America (1607), in the Bermudas (1609), and in the West Indies (Barbados, 1624): it was in his time, too, that the East India Company of London founded factories, or trading-depôts, in the Spice Islands, and began trading with India—the small nucleus of the great British Empire in India of our own day (§§ 357, 391, 532).

§ **371. James I.'s Character and Advisers.**—James I.'s reign forms a great landmark in British history; but this is not due to his own force of character. He was learned, especially in theology, and he had a keen political insight; but he had little tact or practical skill in dealing with men. His incapacity, coupled with his immense belief in himself and his Prerogative, caused England to cut but a poor figure in the international politics of his time; and this, together with his extravagance, brought him into constant conflicts with his Parliaments, who were no longer willing to play so subordinate a part as in Elizabeth's days. These quarrels were sufficiently marked during the first half of his reign, when he was guided by Burghley's younger son, Robert Cecil, Earl of Salisbury; and after Salisbury's death in 1612, James endeavoured to avoid quarrels by calling Parliaments as seldom as possible. James's choice of Cecil as his chief adviser, and the contemporaneous imprisonment of Ralegh for complicity in the "Main Plot," involved the triumph of the peace-party over the war-party (§ 359). In March 1604 the *Treaty of London* ended the Anglo-Spanish war (cf. § 357); and five years later the *Truce of Antwerp*, negotiated under the mediation of England and France, brought to a formal close the hostilities between Spain and the United Netherlands (§§ 352, 353, 357).

§ **372. The Hampton Court Conference, 1604.**—James affected the style and *rôle* of *Pacificus* or Peace-maker: he aspired to be a mediator not only in foreign politics, but also in ecclesiastical affairs at home. Much was hoped from him by the various religious parties in England which did not regard the Elizabethan church-settlement with approval (§§ 335, 341–343): the Roman Catholics remembered that his mother had suffered martyrdom in their cause (§ 355); the Puritans dwelt on his education by the staunch Calvinists of Scotland. But after some hesitation James put the penal statutes against Popish Recusants (§ 359) and Jesuits into force again; and when some Puritan ministers, during his journey southward to London, pressed their claims upon him in the *Millenary Petition*, they were snubbed for their pains. In January 1604 he was asked to preside at a conference held at Hampton Court between the two wings of the Church of England—the court clergy and some ministers of the reforming opinions. They discussed plans for making the Church of England more broad in *non essentials*—to allow the liberty of alternatives. The points raised were *ceremonies*, *prophesyings*, *confirmation* (in connection with the authority of a bishop), *doctrine*, and the best means to create a *preaching* ministry.

The close alliance between King and Bishops caused the rejection of nearly all the Puritan demands except that of a new translation of the Bible—the *Authorised Version*, which appeared in 1611. James's own utterance at the Conference—"No Bishop, no King"—explains his partial restoration of Episcopacy in the Scots Kirk.

§ **373. The Gunpowder Plot, 1605.**—Disappointed in their expectations, both of lenient treatment from James, and of receiving armed aid from Spain, a handful of English Romanists formed a plot to blow up the Houses of Parliament, when the King and Prince of Wales were present at the opening of the session. The King's Council got wind of the scheme some ten days before the day appointed for the assembling of Parliament; Cecil allowed it to come almost to a head; on the eve of November 5, one of the principal instruments, Guy Fawkes, was arrested in the cellars beneath the Houses of Parliament; and most of the leaders were put to death either during their flight or on the scaffold. The plot had not obtained either the support of the better classes of English Romanists, or the official sanction of the Roman Church: none the less, its discovery tended to increase the suspicions and dread of "Popery" already existing in the mind of the average Englishman (§ 329).

§ **374. James I.'s First Parliament, 1604–1611.**—Except in laying new disabilities on Roman Catholics—both laity and priests, especially Jesuits—Parliament was seldom in harmony with James I. His first Parliament, which had five sessions during the seven years of its existence, had frequent occasion to protest against his capricious treatment, and his methods of raising money. In its first session, 1604, it made him the usual life-grant, customary since Richard II.'s time (§ 220), of Tunnage and Poundage; but it also asserted with vehemence and success that its privileges, especially in deciding disputed elections, and in the freedom of its members from arrest (§§ 339, 344), were not dependent on the King's good-will. In its second session, early in 1606, it passed some additional penal statutes; in its third session, 1606–7, it successfully opposed James's scheme for the closer union of England and Scotland; and in its last two sessions, in 1610 and 1611 respectively, it took up such a firm stand against James's financial methods that he dissolved the assembly in disgust. The most profitable of James's extra-parliamentary sources of revenue were the additional customs-dues levied by Prerogative. In 1606 the judges decided, in *Bate's Case*, that these *Impositions* were legal; and in 1608 a general

tariff was laid down in Lord Treasurer Salisbury's *Book of Rates*. Parliament could not abolish the Impositions, but it was able to wreck Salisbury's *Great Contract*—a plan for exchanging the King's uncertain feudal dues for a fixed parliamentary grant (§ 447).

§ **375. Death of Salisbury, 1612.**—In May 1612 Salisbury died "of over much business;" and in the same year, James's eldest son Henry, the popular Prince of Wales, also died. The dissolution of the First Parliament marks the end of the Tudor relationships between King and Parliament: the death of Salisbury marks the end of the Elizabethan tradition in foreign policy. His last act was to arrange the marriage, which took place in 1613, between James I.'s daughter Elizabeth and Frederick, the Elector Palatine. The Palatinate was one of the principal Protestant States of Germany; and the connection was welcomed now, as its results were a century afterwards (§ 529), by the Protestant majority in England. The later marriage alliances of the Stuarts were mostly with Roman Catholics.

II. James under Spanish Influence, 1613–1625.

§ **376. Favourites and Undertakers, 1613–1616.**—When told by the Spanish ambassador, Gondomar, that all his ministers had been in the pay of Spain, James resolved henceforth to be his own chief minister, and to trust only his personal friends. Some of these—notably Francis Bacon, Lord Verulam, who became Lord Chancellor in 1617—were men of practical ability; but the most prominent did not rise above the level of court favourites. Such were Robert Carr, Duke of Somerset, who was disgraced in 1616 for his complicity in the murder of his friend Overbury, and George Villiers, who was quickly elevated to the rank of Duke of Buckingham, 1618, and Lord High Admiral, 1619, and for ten years was the leading personage in England (1618–1628). Buckingham was energetic, but neither of the new favourites were successful in action. Some of James's friends "undertook" to manage the second Parliament, which met in 1614, in such a way that it should be liberal in its supplies and generally amenable to the King's wishes (cf. § 465). The "undertakers" failed completely: the assembly sat for two months without hatching a single measure, and was, therefore, nicknamed the "Addled Parliament." James was in such straits for money that he had to levy benevolences, to sell peerages and the new title of *baronet*, to release at a discount of 66 per cent. the towns which the Dutch had pledged to Elizabeth as security for

her loans (§ 353), and to do his utmost to marry his son Charles to a Spanish princess for the sake of the dowry. For nearly ten years Gondomar was able to control the court and government of England by holding out hopes of a Spanish marriage.

§ **377. Ralegh and the New World.**—The most striking illustrations of Spanish influence were given in James's attitude to Ralegh and to his own son-in-law. In 1617 Ralegh, weary of writing his *History of the World* in the Tower (§ 371), obtained leave to go to Guiana to exploit a gold-mine. James disclosed his plans to Gondomar, and so enabled the Spanish to take measures to thwart the expedition. Ralegh returned empty-handed, and was executed in October 1618, nominally under his old sentence for treason, really to gratify the Spanish desire for vengeance on the last survivor of the old Elizabethan adventurers. Ralegh was a failure in most things that he undertook, but his political foresight was keen above the average. Speaking of the attempt to colonize Virginia—unsuccessful in the hands of his own agents (§ 357)—he said, "I shall live to see it an English nation." And so it was. The vast region then called Virginia was divided in 1606 between two associations of adventurers. The London Company took the southern portion, and in 1607 planted a colony which, after many struggles, became the nucleus of the modern State of Virginia. The Plymouth Company did nothing to develop their less attractive allotment; but in 1620 a band of religious exiles, known as "the Pilgrim Fathers," sailing from England in the *Mayflower*, settled on the Company's territory, and thereafter named their settlement "Plymouth." These "Pilgrim Fathers" were Puritans who, despairing of any further reformation of the Church of England, "separated" from it (§ 359). Finding themselves persecuted by the English Government for their seditious breach of the uniformity laws, they migrated from their home at Scrooby in Nottinghamshire, first to Leyden, with their pastor John Robinson, and then to America. Like the Israelites of old, they went forth in the wilderness to worship the Lord their God more freely. James himself took more interest in his plantation of Ulster (§§ 351, 392) than in these distant colonies in Virginia and "New England."

§ **378. The Bohemian War, 1618–1621.**—Spanish jealousy of English enterprise in America was strong enough to bring Ralegh the pioneer to the block, but not to stop the rise of English colonies. More effective was the action of Spain on the attitude of James to his German son-in-law. Frederick's acceptance of the

semi-elective crown of Bohemia in 1618 roused the opposition of its previous holders, the Hapsburgs, and was the signal for the long-threatened renewal of hostilities between the Protestants and the Roman Catholics of Germany (§ 327). There were many motives at work besides religion, but the bulk of Englishmen regarded it as a purely religious war, in which it was the bounden duty of England to help the champion of Protestantism. James, however, who was better informed, regarded Frederick's action as aggressive and as violating the principle of the hereditary right of kings (§ 365). He therefore declined to help him to retain Bohemia, whence Frederick was expelled in 1620; but he sent some help—not enough—to enable him to keep his hereditary domains. Meanwhile he renewed negotiations for a marriage with the Spanish Hapsburgs, hoping, by a joint mediation, to put a stop to the war in Germany. Finally, early in 1621, he summoned Parliament, after a seven years' interval (§ 376), to equip him with means to take stronger measures if necessary.

§ **379. James I.'s Third Parliament, 1621.**—This third Parliament was at once ready to help the King in Germany, and to effect reforms at home. In its first session the House of Commons revived the practice of impeachment, unused for 150 years (§ 245), and by that means punished Sir Giles Mompesson for abusing a monopoly (§ 360), and Lord Chancellor Bacon for accepting bribes from suitors in his court. In its second session the House proved more liberal with its advice than with its money. James thought the Commons had no business to meddle in foreign policy, which he told them was "beyond their reach or capacity;" and he was answered in December 1621 by a firm *Protestation*, which James himself tore out of the Commons' *Journals* (cf. §§ 339, 374):—

(i) "That the liberties, franchises, privileges, and jurisdictions of Parliament are the ancient and undoubted birthright and inheritance of the subjects of England;

(ii) "And that the arduous and urgent affairs concerning the King, State, and Defence of the Realm, and of the Church of England, and the maintenance and making of laws, and redress of mischiefs and grievances, which daily happen within this realm, are proper subjects and matter of counsel and debate in Parliament;

(iii) "And that in the handling and proceeding of those businesses, every member of the Houses of Parliament hath, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion, the same," etc.

§ 380. **Prince Charles's Journey to Madrid, 1623.**—James dissolved Parliament in anger, and returned to his policy of negotiation. In 1622 his son-in-law, Frederick, was driven from all his dominions—largely by means of Spanish troops in the service of the Hapsburg Emperor: none the less, James hoped to secure his restoration by the aid of Spain. In 1623 Prince Charles, in company with Buckingham, went to Madrid to press his suit for the Infanta in person. The terms demanded included the complete toleration of Roman Catholics in England; and in return Spain would offer nothing—not even to use her good offices with the Emperor on behalf of the ejected Elector Palatine. The Prince and the Duke returned in hot anger; and by March 1624 England had drifted into war with Spain. The only active measure of the war attempted in James I.'s reign was Count Mansfeld's abortive expedition up the Rhine to recover the Palatinate early in 1625.

§ 381. **James I.'s Fourth Parliament and Death, 1624–5.**—The war with Spain was so popular that James had no difficulty in extracting a grant of £300,000—the largest grant of the reign—from his fourth Parliament, which met in February 1624. Parliament took precautions that its money should be spent wholly on the war (cf. § 213); and part of it went to equip Mansfeld's expedition. It also successfully impeached Cranfield, Earl of Middlesex, for malpractices as Lord Treasurer; but when Prince Charles and Buckingham encouraged this attack James warned them that they "would soon have their bellyful of impeachments" (§§ 384, 399). The many complaints against the abuses of Monopolies (§§ 360, 379) came to a head in an Act declaring illegal all grants of monopoly to *individuals*, except tavern-licences, and "the true and first inventors of new manufactures." It is from the letters-patent ("open-letters") granting monopolies in such cases that we derive our modern use of the noun *patent*. Parliament came to a close, after a three months' session, without quarrelling with the King. In August 1624 James concluded a marriage-treaty with France, granting concessions to English Romanists which would certainly have raised a storm in Parliament, had it been still sitting (§ 390). Before Charles could carry out the marriage-contract by marrying Louis XIII.'s sister, Henrietta Maria, James I. died. His over-confidence in his kingcraft had, says a contemporary, "made *Great Britain* of less account than *little England* had been under Elizabeth." It had also raised many constitutional questions which gave a life's trouble to his less pliant son.

CHAPTER XXIX.

CHARLES I.'S CONSTITUTIONAL EXPERIMENTS, 1625–1642.

A. PERSONAL HISTORY.—Second son of James I.; born at Dunfermline, November 19, 1600; succeeded to the thrones of England, Scotland, and Ireland, March 27, 1625; married Henrietta Maria, sister of Louis XIII. of France, May 1, 1625; crowned at Westminster, February 6, 1626; and at Edinburgh, June 18, 1633; executed at Whitehall, January 30, 1649; buried at Windsor. For his descendants and kinsmen, see Table, p. 280.

B. CONTEMPORARY RULERS.

PAPACY.	EMPIRE.	FRANCE.	SPAIN.	TURKEY.	ELSEWHERE.
Urban VIII. (1623)	Ferdinand II. (1619)	Louis XIII. (1610)	Philip IV. (1621–1665)	Murad IV. (1623)	Christian IV., *Denmark* and *Norway* (1588–1648)
				Ibrahim (1640)	
Innocent X. (1644)	Ferdinand III. (1637–1658)	Louis XIV. (1643–1715)		Muhammad IV. (1648)	Gustav Adolf, *Sweden* (1611–1632)

C. TOPICS OF THE PERIOD.

(i) **International**: *relations with*—
- (1) France: §§ 382, 383, 385, 388–391.
- (2) Spain: §§ 382, 383, 390.
- (3) The Empire: §§ 382, 385, 390.
- (4) Denmark: § 385.
- (5) United Provinces: 391, 393.

(ii) **Constitutional**:
(*b*) *Non-English*—
- (1) Scotland: §§ 392, 394–398, 401.
- (2) Ireland: §§ 392, 401.
- (3) Colonies: §§ 391, 392.

(ii) **Constitutional**: (*a*) *English*—
- (1) Church: §§ 388, 391–397, 402.
- (2) Taxation: §§ 383–389, 393, 400.
- (3) Personal Freedom: §§ 386, 387, 394, 400.
- (4) Ministers: §§ 383, 384, 388, 392, 393, 398, 399, 403.
- (5) Powers of Parliament: §§ 383, 384, 387, 388, 398, 403, 405.
- (6) Privilege of Parliament: §§ 384, 389, 404.
- (7) Parties: §§ 383, 389, 402, 403.
- (8) Convocation: § 396.

I. BUCKINGHAM AND THE FIRST THREE PARLIAMENTS, 1625–1629.

§ 382. Survey of Charles I.'s Reign.—Charles I. came to the throne at an unfortunate time and under unfortunate circum-

stances. There was still alive a strong feeling that England had not done all that she should have done for the Protestant cause in Germany, and that she had truckled to Spain: there was also a widespread dislike of the policy of relaxing the enforcement of the recusancy laws (§ 380). The popularity which Charles and his friend Buckingham had gained in 1624 by abandoning their Spanish projects had been lost by the French marriage project, and by the ill-success of the English operations up the Rhine and against Spain (§§ 378–381). Charles was therefore out of touch with a large number of his English subjects when he began his reign; and during the greater part of his life he was getting still further out of touch both with them and with his subjects in Scotland and Ireland. It was not till the very close of his reign that pity for his misfortunes tended to overcome dislike of his faults; and the violence of his opponents in the end has caused many to regard him as a martyr. From the point of view of international policy his reign falls into two divisions—a short period of active and warlike intervention on the Continent (1625–1630), and a long period of non-intervention (§§ 362, 390). While the Thirty Years' War was convulsing and transforming Western Europe the British Isles were absorbed in the solution of their own insular problems. The main divisions of the reign from a constitutional point of view have been already indicated (§ 368).

§ **383. Charles's First Parliament.**—In June 1625 Charles welcomed his wife Henrietta Maria of France—a marriage fraught with disaster to himself and to his House (ch. xxxiii., xxxiv.)—and met his first Parliament. Among its more prominent members was Sir Edward Coke—formerly Chief Justice—Sir John Eliot of Cornwall, Sir Thomas Wentworth of Yorkshire, and John Pym of Somerset. Those all belonged to old-established county families. In James I.'s parliaments the leaders had mostly been lawyers; but henceforth the country gentlemen, educated in politics and constitutional questions by contact with these lawyers, came more and more to the front. They had acquired knowledge of affairs; they had a "stake in the country;" they were for the most part respected by those whom they represented; and they had the support of the only other wealthy class in the land—the merchants of the towns. They had learnt that the best means of inducing the King to do what they wanted, and to refrain from doing what they did not want, was to keep him dependent upon themselves for money (§§ 365, 366). In 1625 they wanted to get rid of Buckingham and toleration.

Accordingly, in the first Parliament, the Commons, instead of making the usual life-grant of Tunnage and Poundage (§ 220), proposed to grant it for one year only. The Lords resisted this innovation; and in August, Charles dissolved Parliament without obtaining even this modified grant. In order to raise money for the war against Spain he levied all the old customs-dues in the same way as his father had levied the extra-dues called impositions—by Prerogative (§ 374). At Buckingham's suggestion, Charles spent part of the money thus obtained in equipping an expedition which Sir Edward Cecil, Viscount Wimbledon, led against Cadiz in October. But the long peace had thrown the English Navy into a confusion, out of which all Buckingham's energy could not raise it in a moment; and Cecil's enterprise was an utter failure.

§ **384. Charles's Second Parliament, February–June, 1626.** —Charles was compelled to summon a second Parliament which he tried to make amenable to his wishes by keeping possible opponents out of the way (cf. § 376). He sent no summons to John Digby, Earl of Bristol, lest he should make disclosures concerning foreign negotiations in which he had been employed. He rendered Coke, Wentworth, and others ineligible as members of the House of Commons by appointing them to be sheriffs in their several counties. But the Commons found other leaders, and the Lords declined to transact business until Bristol received his writ of summons. When Parliament got to work it insisted on discussing grievances before furnishing money: in technical language, it took "Redress" before "Supply" (§ 226). The Commons impeached Buckingham (§ 381); and when the King found that even the imprisonment of their leader, Eliot, failed to stop the prosecution of his friend, he dissolved the Parliament. "The House of Commons," he said, "was for *counsel*, not for *control*."

§ **385. Charles I.'s Foreign Policy, 1625–1627.**—The twenty-one months' interval between the second and the third parliaments was occupied with increased foreign activity, and with the increased demand for money which that activity involved. Charles, both as a keen family man and as a Protestant by conviction, was eager for the restoration of his dispossessed brother-in-law (§§ 378–380); and he hoped to reach his object by family means. He promised subsidies to his uncle, Christian IV. of Denmark, to invade Germany on behalf of the Elector Palatine; but he could not find the money to pay the subsidies. His marriage was designed to secure the active aid of France against the rival family alliance of the Hapsburgs;

but circumstances frustrated this design. To conciliate the Protestant feelings of Parliament, Charles did not fulfil his marriage-obligation to relax the enforcement of the recusancy laws (§§ 381, 383); and when the Huguenots broke into a purely political rebellion, Charles sent them help. As a result of this state of things France, now under the strong guidance of Cardinal Richelieu, made peace with Spain and drifted into war with England. In the summer of 1627 Buckingham, as Lord High Admiral, made an expensive and unsuccessful attempt to relieve the Huguenot stronghold of La Rochelle.

§ **386. Arbitrary Taxation and Imprisonment, 1627.**—The combined war with Spain and France proved a severe strain on the resources of the Government. There was no danger of invasion as in Elizabeth's days: it was a war of aggression which could win the pecuniary support of Englishmen only if justified by success. To raise money, Charles in 1627 gathered "loans" the amount of which was fixed on the same basis of assessment as parliamentary subsidies; and to raise forces the maritime towns were ordered to furnish ships for the relief of La Rochelle (§ 393). Those who declined to "lend" the Government the sums at which they were assessed were punished in various ways: some were pressed into service as soldiers or sailors; some were compelled to board the troops "billetted" upon them; and those who resisted these indirect modes of taxation were subjected to the summary jurisdiction known as martial law, or were cast into prison during the King's pleasure. A group of knights thus imprisoned sued out writs of *habeas corpus*, *i. e.* each obtained from the Court of King's Bench an order that his jailer should "produce his body" before the Court in order that the legality of his detention should be examined. The judges decided in these test cases—known as *The Five Knights' Case*, or as *Darnel's Case*—that "the King's special command" was sufficient to justify both the original arrest and the continued detention of the five knights. It was the King's duty to preserve public order; and the judges in 1627, as in 1606 (§ 374), declined to risk dismissal by declaring that the reigning king's unusual method of performing his duty was illegal.

§ **387. First Session of Charles's Third Parliament, 1628.**—The conduct of the Government and the attitude of the judges deepened the growing conviction that something must be done to limit the power of the Crown to interfere with the liberty of the subject in respect of person and property. This feeling was voiced in the third Parliament by Eliot, Coke, Wentworth, and Pym, and

found formal expression in the notable constitutional document known as the *Petition of Right*. This document, in somewhat vague and general terms, branded various recent practices of the Government as illegal:—

(i) The levying of "any gift, loan, benevolence, tax, or such-like charge without common consent by Act of Parliament."
(ii) The imprisonment of any freeman "without cause showed."
(iii) The billetting of soldiers or mariners in private houses.
(iv) The execution of martial law "within the land" in times of peace.

§ **388. Death of Buckingham, 1628.**—Charles, after some hesitation, agreed to the *Petition of Right* in the belief that it made no alteration in the existing law, and was rewarded by a grant of £350,000. He then prorogued Parliament, and spent his money on a third expedition—a second had sailed during the session—to relieve La Rochelle. Buckingham was assassinated at Portsmouth in August while superintending the preparations; and the expedition was unable to prevent the surrender of the beleaguered Huguenots in October. Buckingham had been called by Eliot "the grievance of grievances;" and his death might well have lessened the friction between King and Parliament. But the failure of the war-policy, Charles's insistence on his right to Tunnage and Poundage (which the Commons, somewhat disingenuously, held to fall within the terms of the *Petition of Right*), and his ecclesiastical policy, still kept the sore open. During the recess, Charles promoted William Laud, the chief of the "Arminian" clergy, to the bishopric of London (§ 394), and laid down unpopular theories of church-government in the Declaration which is still prefixed to the *Thirty-Nine Articles* in the Anglican *Book of Common Prayer*.

§ **389. Second Session of Charles's Third Parliament.**—When Parliament reassembled in January 1629 it took up its financial and ecclesiastical grievances with great warmth. On March 2, Eliot was about to propose resolutions branding as "enemies to the kingdom and commonwealth" all who should introduce innovations in religion, or pay customs-duties unauthorized by Parliament, when the Speaker intervened on the ground that the King had ordered an immediate adjournment. The resolutions were, however, informally put by Holles, while he and Valentine held the Speaker in the chair, and they were carried by tumultuous acclamation. The House then broke up; a few days later Charles dissolved Parliament and imprisoned the leaders in the recent riot. The Court of King's Bench held that the violent action of these members

was not covered by privilege. Eliot died in the Tower in 1632: Valentine and Strode remained in durance until the assembling of Charles's fourth Parliament eleven years later.

II. Eleven Years' Personal Rule, 1629–1640.

§ **390. Peace with France and Spain, 1629–30.**—Charles I. had pursued political objects and used political methods which seemed to him Elizabethan, and had naturally expected to receive parliamentary support, such as Elizabeth had received. He had been grievously disappointed, and resolved to do without parliaments altogether. In order to avoid the necessity of calling Parliament he must needs economise, and the most obvious way of economising was to drop his war-policy. Accordingly, in April 1629, he made peace with France by the *Treaty of Susa;* and in November 1630 the *Treaty of Madrid* ended the war between England and Spain. The latter treaty merely brought an ineffective war to a formal close: the former helped Charles out of one of his constitutional embarrassments at home. Each party gave up his protection of the other's religious nonconformists: Charles, in return for abandoning the cause of the French Huguenots, was released from his marriage-pledge to grant toleration to the English Roman Catholics.

§ **391. The Growth of New England, 1629–1640.**—Three months after the Anglo-French treaty was signed, the brothers Kirke, acting on behalf of "the London Company of Merchant Adventurers," captured the French colony-town of Quebec. But by the *Treaty of St. Germain-en-Laye,* March 1632, Charles both restored Canada, and also abandoned his claim to that region at the mouth of the river St. Lawrence which bears the traces of rival attempts by both French and Scotsmen to settle it in its names of "Acadie" and "Nova Scotia." This British withdrawal—temporary as it afterwards proved—from the St. Lawrence Valley was contemporaneous with colonial extension further south and elsewhere. In 1629 was started the colony of Massachusetts, which afterwards absorbed the Plymouth colony (§ 377); and during the period of Personal Government many Puritans emigrated to New England. Their main object was to escape Laud's ecclesiastical discipline and to establish a theocracy more to their liking. The rigidity of their church-government—admirably depicted in Hawthorne's classic romance, *The Scarlet Letter*—caused many of their number to seek greater liberty in the settlement founded by Roger Williams at Providence, and now known as Rhode Island. Further south, beyond

the Dutch colonies on the Hudson (§ 455), Lord Baltimore founded in 1633 the colony of Maryland, whose capital bears his name, and which was intended as a refuge for English Roman Catholics. The rapid growth in the prosperity of all these English colonies in America is illustrated by the fact that, during the Personal Government, the school now known as Harvard University, and a printer's press were established at Cambridge in Massachusetts. Elsewhere, too, beyond the seas the foundations of the Empire were being extended: in 1631 the first permanent English settlement was made on the Gambia River in West Africa; in 1639 the East India Company acquired its first territorial possession, as distinguished from a mere factory or fortified warehouse, in India—at Fort St. George, Madras. But in the East Indies the English were still out-distanced by the Dutch (§§ 362, 429).

§ **392. Ireland, 1603–1640.**—The importance of the colonies and other outlying dominions of Charles was recognized during the Personal Government by the creation of special committees of the Privy Council to superintend the affairs of Ireland (1634), of New England (1635), and of Scotland (1635). Ireland, in particular, received an unusually long spell of careful administration. From 1633 to 1640 it was governed by Viscount Wentworth, at first as Lord-Deputy, and in 1639 as Lord-Lieutenant. Wentworth had parted company with the aggressive parliamentary opposition to Charles in the interval between the first and second sessions of the Third Parliament (§§ 387–389). His opposition had been directed rather against Buckingham than against Charles; and, like several of his colleagues, he thought that the House of Commons was exceeding both its constitutional functions and its political capacity in essaying the task of government. He therefore accepted office and a peerage from the King, and, after a few years' trial as President of the Council of the North (§ 303), was transferred to Ireland. Since the completion of its first conquest in 1603 (§ 358), that country had been disturbed by various projects of confiscation and plantation. James I. had in 1611 successfully planted Ulster with Protestant settlers from England and Scotland (§§ 351, 377). But the rumours of fresh schemes of plantation naturally caused a sense of insecurity in the minds of the existing inhabitants—both native Irish and Anglo-Irish. Wentworth put an end to their insecurity by settling the outstanding question of land-titles in Connaught and elsewhere. He also endeavoured to increase the prosperity of the island by suppressing piracy, and encouraging the linen-trade. In accordance with

his friend Laud's ideas of ecclesiastical uniformity, he caused the established Church of Ireland to adopt the Anglican *Prayer-Book* and *Articles of Religion*. Finally, with a view to possible contingencies in the larger island, he equipped a small standing army and for the first time raised the revenue of the kingdom to a higher level than its expenditure. Wentworth adopted Laud's expressive name of "Thorough" to describe his system of autocratic, but not unjust, government; and he hoped to see his system extended to the two kingdoms in Britain—"to vindicate monarchy for ever from the conditions and restraints of subjects."

§ **393. Financial Expedients in England, 1629–1638.** In England, where Charles had no minister of Wentworth's ability, the main activity of the Personal Government was devoted to the raising of funds and to the organization of the Church. Richard Weston, who became Earl of Portland in 1633, was in charge of the finances of the kingdom from 1628 to 1635 as Lord Treasurer: William Laud, who had long been Charles's chief adviser in Church affairs, obtained greater power for the execution of his designs when he became Archbishop of Canterbury in 1633. The increasing prosperity of the country—which helped to swell the King's revenue from the customs-dues—coupled with his abstention from war, would have made Weston's task comparatively easy but for the extravagance of the Court. Hence new sources of income had to be found. Gentlemen having the requisite property qualifications were fined if they neglected to take up knighthood (§ 118); the landed proprietors who had encroached on the royal forests were fined; so, too, was the City of London for non-fulfilment of the conditions on which it held its estates in Ulster. These fines were usually, though not always, enforced by the Star Chamber. In 1634, towards the close of Weston's life, Noy, Attorney-General, suggested the more famous expedient of Ship-Money. For the suppression of pirates and to guard against the growing power of the French and of the Dutch, the maritime towns and counties were called upon to provide ships. This was in accordance with old precedents (cf. § 386); but after Noy's death, a series of fresh writs were issued, not only to the maritime, but also to the inland districts—demanding not ships but a money equivalent. The judges gave an opinion in 1637 that the issue of these Ship-Money writs was a legal exercise of the King's power to provide for the safety of the country in time of danger (cf. §§ 374, 386); and when John Hampden, a Buckingham esquire, declined to pay the sum at which he was assessed, the entire bench

of judges, by a majority of seven to five, re-affirmed the legality of the action of the Crown. The taxative burden was not serious in itself; but the taxative powers declared by the judges to be at the disposal of the Crown were capable of almost infinite expansion.

§ **394. Laud's Ecclesiastical Policy.**—Laud, like his friend Wentworth, had little respect for the interests or opinions of individuals, and great belief in the necessity of obedience to lawful authority. In particular, he believed in the authority of the Church as governed by the bishops under the Supremacy of the King; and he held that all the King's subjects were bound to show at least outward obedience to the Church, whatever their personal feelings or opinions might be. So far he was in accordance with nearly all the religious thought of his day; but in his interpretation of the ambiguous formularies of the Anglican Church he differed from the Puritan majority in emphasising its mediaeval aspects and survivals (§ 334). They insisted on the preservation of a Scriptural (meaning Calvinistic) theology and on a preaching ministry: Laud dwelt rather on the necessity of a uniform and stately ritual as the best safeguard of ecclesiastical unity. Laud's emphasis of the priestly power of the clergy, coupled with his friendly attitude towards Rome and discouragement of Continental Protestants, struck the bulk of his generation as mere "Popery," and caused a strong feeling to arise against the episcopalian form of church-government (§§ 402, 420). But in England at least he was able, by means of the High Commission Court, to keep the clergy in awe, and, by means of the Star Chamber, to punish his lay opponents (§§ 270, 344). In 1637, for instance, William Prynne, a barrister, Henry Burton, a clergyman, and John Bastwick, a physician, were fined, mutilated, and sent to prison for libelling the bishops. The mob applauded them as they stood in the pillory, but could do nothing to help them.

§ **395. The Scots Resistance and the First Bishops' War, 1637–1639.**—In Scotland, Laud's ecclesiastical policy was not only unpopular but successfully resisted. There, in 1636, Charles completed his father's gradual restoration of full authority to the titular bishops (§ 372), and in 1637 he ordered the use of a liturgy drawn up by Laud on the Anglican model. The first attempt, in July 1637, to read the new service in S. Giles's, Edinburgh, roused a storm of indignation against bishops and English interference. In February 1638 a second *National Covenant* against "Popery" was drawn up, which Scotsmen of all classes signed with such zeal and in such numbers that Charles prudently withdrew the service-book (cf. § 350).

In November the General Assembly of the Scots Kirk, to guard against danger in future, abolished the episcopate and set up a purely presbyterian government (§§ 348, 420); and when Charles declined to confirm these changes both sides prepared for war. The Scots army, under Alexander Leslie—fresh from his experience in the Thirty Years' War—was far superior in discipline to the force which Charles could gather; and in June 1639 he agreed to the *Pacification of Berwick*, whereby all ecclesiastical and civil questions were referred to the Scottish Assembly and Estates respectively.

§ 396. The Short Parliament, April–May 1640.—The demands made by the Scots assemblies were so great that Charles yielded to the advice of Laud and Wentworth (now Earl of Strafford) to appeal to the generosity and Scottish antipathies of his English subjects. In April 1640 he met his fourth Parliament, and found it no more prepared than its predecessors to give money unless it had previously received something in return. After a session of three weeks it was dismissed, and, by contrast with the parliament which speedily followed it (§ 399), it soon won the name of "the Short Parliament." The clergy proved more compliant than the laity. Contrary to the usual custom, the Canterbury Convocation continued to sit after the concurrent Parliament was dissolved; and during the extra session the clergy made a liberal grant of money. This grant, which was denounced as illegal by the parliamentary Opposition of the day, illustrated the growth of a breach in sentiment between the clergy and the well-to-do middle classes.

§ 397. The Second Bishops' War, 1640.—Meanwhile the Scots Parliament had been placing the kingdom in a posture of defence; and in August its army crossed the Tweed to fight against "the Canterburian faction of Papists, Atheists, Arminians, and Prelates." By a skirmish at Newburn it forced its way across the Tyne, and occupied the four northern counties. Charles invited a Great Council of Peers to meet him at York; and the peers joined with the Londoners and the Scots in urging him to summon another Parliament. Lacking both efficient troops and money to pay them, Charles was compelled to take this advice, and also to open the negotiations known as the *Treaty of Ripon* with the victorious Scots.

III. Beginnings of the Long Parliament, 1640–1642.

§ 398. Remedial Work of the Long Parliament, 1640.—Charles had embarked upon large enterprises without properly estimating the cost; and the success of the Scots resistance had

forced him once more to face parliamentary opposition. His fifth Parliament, which met at Westminster on November 3, 1640, was very different in feeling from its predecessor. The events of the summer had proved the King's helplessness; the interest displayed in the General Election had shown that Parliament had the nation solid at its back; and it had the moral support of the Scots army. The Parliament could, and the King could not, venture to be bold and resolute. Hence during its first and unanimous session (November 3, 1640–September 9, 1641), it was able to make a series of sweeping changes which may be generally classified under the heads of remedial and preventive. The remedial measures undid many of the recent acts of the Government, or punished their doers, or attempted reparation to the injured: the preventive measures sought to make similar acts impossible in the future. For instance, Parliament released Prynne and other victims of the Star Chamber from their prisons and gave them compensation for their ill-treatment (§ 394); it reversed the sentence against Hampden in the *Ship-Money Case* (§ 393); and it dismissed the judges who had decided against him. Before the end of the year the Commons committed Strafford and Laud to prison, and subsidized the Scots army to remain in England until the work of reform should be accomplished.

§ **399. Impeachment, Attainder and Execution of Strafford, 1641.**—Strafford was formally impeached by the Commons on the charge of high treason; and the trial before the Lords began at the end of March 1641. The principal evidence of his treason offered was his alleged advice to Charles to use the Irish army against "this kingdom." But treason, as defined by law (cf. § 203), meant disloyalty to the *person* of the King (of which Strafford had obviously not been guilty); and it could not be decently stretched so far as to cover a mere difference of opinion from the Commons on the proper *office* of the King. Seeing no chance of securing a conviction from the Lords, the Commons, under Pym's guidance, dropped the impeachment and brought in a Bill of Attainder. In other words, having failed to prove Strafford guilty of the breach of any existing law, they condemned him to death for doing and saying things of which they happened to disapprove. The Commons passed the attainder by four to one, the Lords by three to two, and finally Charles—who had sworn that "not a hair of his head should be injured"—yielded to his wife's entreaties and to the London mob by giving his consent to the Bill. Strafford's execution (May 12) removed Charles's ablest statesman, and encouraged the Opposition.

§ 400. Preventive Work of the Long Parliament, 1641.—Before Strafford's death Parliament had begun its preventive or constructive work, which consisted partly in increasing the stability of Parliament, partly in lessening the powers of the King. In February it passed the *First Triennial Act* (§§ 452, 519), which provided that neither the duration of any parliament, nor the interval between two parliaments, should exceed three years. Two days before Strafford's death Charles gave his assent to a Bill whereby the parliament then in session could not be legally dissolved without its own consent (§ 440). The Long Parliament had in these two Acts legal security for the regular and continued existence of parliament as an institution, as it already had military security for its own existence in the subsidy-arrangement with the Scots. Thus safe both from domination and from dissolution, it passed in July a series of Acts which fundamentally changed the Tudor constitution of the country (§§ 263, 363). One set of Acts abolished both the Courts of Star Chamber and High Commission, and the Councils of the North and of Wales, and definitely declared illegal the powers of arbitrary imprisonment and summary jurisdiction hitherto exercised by the Privy Council. Another set of Acts declared illegal the various financial expedients of the Personal Government—Distraint of Knighthood, Ship-Money, etc. (§ 393)—and also the older expedient of levying customs-dues by Prerogative (§§ 374, 383). The session was ended by the grant of liberal supplies to the King for a brief period, by the payment of the promised subsidy to the Scottish army, and by the disbanding of the English army.

§ 401. The Incident and the Ulster Insurrection, September–October 1641.—During the English parliamentary recess Charles paid a visit to Scotland, hoping to win back his popularity there by giving his assent to the ecclesiastical reforms of the Scots Assembly and by scattering peerages among his late opponents. But a mysterious attempt—known as "the Incident"—to kidnap Archibald Campbell, Marquess of Argyll, the head of the Covenanters, kept alive the Scottish suspicion of Charles; and he returned to England no stronger than before. Meanwhile the removal of the iron hand of Strafford and the confusion prevalent in Britain had encouraged the Irish malcontents to strike a blow against the English domination which had destroyed their independence, proscribed their religion, and confiscated their property (§ 392). On October 23, 1641—three days after the assembling of the Long Parliament—a rising broke out among the native Irish of Ulster which de-

veloped into an extensive massacre of the Protestant settlers (§ 412). As Strafford's army had been disbanded, it became necessary to raise troops for the suppression of this disorder; and a question arose whether Charles—who was quaintly suspected of being a "Papist" (§ 394)—was to be trusted with an army for service against the Irish Romanists. The Irish rising and the royal journey to Scotland were widely regarded in England as subtle devices on the part of Charles to gather forces to be used against the aggressive English Parliament.

§ **402. Parliamentary Split about Ecclesiastical Reform, 1641.**—The civil reforms effected in the first session of the Long Parliament had been achieved by the consent of all parties, and proved to be permanent (§ 443). The chief questions facing Parliament on its reassembling in October were these:—(1) had enough been done to secure the permanence of the reforms already gained? (2) ought not the Church to be regulated, as the State had already been regulated, by parliamentary law? Something had been done to secure the liberty of the individual as regards his *person* and his *pocket:* ought not something also to be done for his freedom of *conscience?* Or rather—for the religious freedom of the individual was a notion which had hardly yet won its way to the front in England, as it had in New England (§ 391)—ought not the opinion of the majority to be allowed to influence the government of the Church as it already had influenced the government of the State? It was on this question of ecclesiastical reform, coupled with the question whether Charles was to be trusted to recognize in practice the limitations on his Prerogative to which he had given his formal consent, that the Parliament split into two parties and ceased to present a united front to the King. In the first session the Commons had authorized the defacement of "superstitious" altars and images in the churches, and had entertained proposals for the partial or entire abolition of the bishops. In the second session the "Root and Branch" party—*i. e.* the party which wished to do away with episcopacy "root and branch"—was strongest; and its threats forced the conservative church-party to rally round Charles.

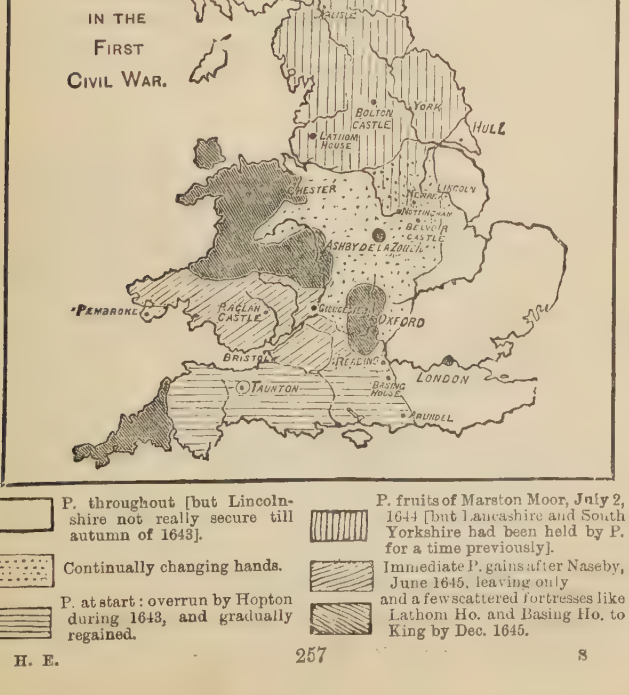
§ **403. The Grand Remonstrance, November 1641.**—The visible disintegration of Parliament alarmed Pym, Hampden, and other leaders of the active Opposition. In the hopes of discrediting Charles by a hostile review of his public acts, of drawing the parting parties together again, and of winning the support of the general public outside (§ 452), they drew up a *Grand Remonstrance*

which received the approval of the Commons on November 22. This Remonstrance contained a long historical review of the events of the reign—intended to show that the King's conduct had been as foolish and unconstitutional as that of his Parliament had been the reverse—and a demand for remedies, especially the appointment of "ministers in whom the Parliament could confide." The Remonstrance was carried by only eleven votes in a large house; and the further proposal to print and publish the document, as an appeal to the nation at large, was carried by a still smaller majority. Outside the Houses, opinions were almost as evenly divided. Towards the end of December the partisans of the King began to mock the close-cropped Puritans who supported the Parliament by the name of *Roundheads*, and received in return the nickname of *Cavaliers*. The House of Lords generally, its episcopal members invariably, supported the King: hence the catchword of the City at the moment was—"No Bishops! No Popish Lords!"

§ **404. The Arrest of the Five Members, January 1642.**—Encouraged by many signs of his own popularity, Charles resolved to strike a blow at the leaders of the Opposition. On January 3 his Attorney-General laid charges of treason before the House of Lords against Lord Kimbolton (Edward Montague, afterwards Earl of Manchester) and five members of the Commons—Pym, Hampden, Hazlerigg, Holles, and Strode. Their dealings with the Scots rebels were held to be treason; but the procedure was unusual, and the Lords declined to order the arrest of the accused. Next day, Charles—impelled by the taunts of his wife—went down to the House to effect their arrest in person: he found that "the birds were flown," and that the Commons would not help him to capture them. Charles's premature attack had lost him all the ground that he had won in the general good-will. On January 10 he left London—not to return until brought back as a prisoner seven years later (§ 424); and in the following month the Queen went over to the Continent to gather arms and treasure for the war which now began to seem probable.

§ **405. The Militia Bill and the Nineteen Propositions, February–June 1642.**—In February, Charles gave his assent to the *Clerical Disabilities Bill*, depriving the bishops of their seats in the House of Lords and of all their civil offices; but he declined to assent to the *Militia Bill*, depriving himself of the control of the army that was being raised for service in Ireland. The two Houses—now diminished by the secession of many members who clave to the King—took matters into their own hands, and ascribed the force

of law to their Bills under the name of *Ordinances* (cf. § 202). They assumed the task of appointing the lords-lieutenants of counties, and thus acquired the control of the militia: they also secured the fleet. In April, Sir John Hotham, by command of Parliament, declined to admit the King into his arsenal at Kingston-on-Hull. In June, Charles refused to consent to the parliamentary ultimatum known as the *Nineteen Propositions*, designed to obtain for Parliament an effective control over all branches of the administration—military and naval, civil and ecclesiastical, judicial and international. In July, Parliament named the Earl of Essex, son of Elizabeth's favourite (§§ 357–9), to be Captain-General over all its forces; and on August 22, the King, having moved from York, gave the signal for civil war by setting up his royal standard at Nottingham.



Conspectus of the First Civil War.

Note.—R. = Royalist; P. = Parliamentarian; C. = Covenanter; M. = Montrose: when these initials are in dark type, it signifies that the side thereby denoted was victorious in the operation to which it is appended.
An asterisk (*) denotes a drawn or doubtful battle.
Dark type is used to distinguish the most important battles.

1642.—*Features:* Indecisive Opening; Occupation of Oxford; Direct Attack on London.

Aug. 22.—Raising of the Royal Standard at Nottingham.

Oct. 23.—**Edgehill***: Essex P. *v.* Forth and Rupert R.

Nov. 12.—Skirmish at Brentford: Holles P. *v.* Rupert **R.**
Negotiations at Oxford.

1643.—*Charles's Plan of Campaign:* Newcastle's Army of the North to press down along E. coast into Essex, and Hopton's Army of the West to press along S. coast into Kent, as far as Thames mouth; then King to strike at London.

North and East.	*Midlands.*	*South and West.*
June 30.—Adwalton Moor: Fairfaxes P. *v.* Newcastle, **R.**	June 18.—Chalgrove Field: Hampden *d.*	May 16.—Stratton: Stamford P. *v.* Hopton and Grenvile, **R.**
July 28.—Gainsborough: Cromwell **P.** *v.* Newcastle, R.		July 5.—Lansdown: Waller P. *v.* Hopton, **R.**
		„ 13.—Roundway Down: Waller P. *v.* Hopton, **R.**
		„ 26.—Bristol taken by Rupert, **R.**
Sept. 2—Oct. 12.—R. Siege of **Hull.**	Aug. 10—Sept. 5.—R. Siege of Gloucester.	Aug.—Oct.—R. **Siege of Plymouth.**
Oct. 11.—Winceby, Cromwell **P.** *v.* R.	Sept. 20.—**1st Newbury***: Essex *v.* King.	Dec. 9—Jan. 6.—Arundel held by Hopton, R.

July 1.—Westminster Assembly meets.

Sept. 15.—The Cessation. Sept. 25.—Solemn League and Covenant. Dec. 8.—Death of Pym.

1644. Jan. 19.—Scottish Army crosses Tweed. Feb. 16.—Committee of Both Kingdoms replaces Committee of Safety.

Jan. 22—Apr. 16.—The Oxford Parliament.

R. *Plan of Campaign:* Diversions in Scotland and Ireland; Support N. and S. Armies from Oxford as needed.

Jan. 25.—Nantwich: Fairfax **P.** *v.* Byron, R.		March 29.—Cheriton Waller **P.** *v.* Forth and Hopton, R.
March—July 16.—**P.** Siege of York.	May—June.—P. Siege of Oxford.	
July 2.—Marston Moor: Fairfax, Manchester, **P.** and Leven (*Sc.*) *v.* Rupert and Newcastle.	June 29. — Cropredy Bridge: Waller P. *v.* Charles, **R.**	Sept. 2.—Surrender of Essex's Army at Lostwithiel, **R.**

Sept. 1.—Montrose's first victory, over Elcho, at **Tippermuir**; over Balfour, Aberdeen, Sept. 13.

Oct. 19.—Town of Newcastle surrenders to Scots.

Oct. 27.—**2nd Newbury***: Manchester **P.** *v.* Charles.

1645.—P. Self-Denying Ordinances and the New Model. Treaty of Uxbridge, Jan.—Feb.

R. *Plan of Campaign:* Keep up connexion with Scotland.

Scotland.	*Midlands.*	*South-West.*
Feb. 2.—Inverlochy: **M.** *v.* Argyll, C.		
May 9.—Auldearn: **M.** *v.* Hurry, C.	**June 14.—Naseby:** Fairfax and Cromwell, **P.** *v.* Rupert and King, R.	P. Relief of Taunton.
July 2.—Alford: **M.** *v.* Baillie, C.		July 10.—Langport: Fairfax **P.** *v.* Goring, R.
Aug. 14.—**Kilsyth: M.** *v.* Baillie, C.		

Aug. 25.—Glamorgan's Treaty with the Confederate Catholics.

Sept. 13.—**Philiphaugh:** M. *v.* David Leslie, **C.**	Sept. 24.—Rowton Heath: **P.**	Sept. 10.—**P.** Capture of Bristol: Fairfax and Cromwell *v.* Rupert.
	Oct. 13.—Basing House: Cromwell, **P.**	

1646.—March 14, R. Army of West surrenders to Fairfax, **P.**; and March 21, Astley, R. defeated at Stow-on-the-Wold.

Charles I. driven to Oxford Nov. 5, 1645; takes refuge amongst the Scots near Newark **May 5**, 1646.

Raglan Castle surrenders Aug. 19, 1646· Harlech Castle, March 13, 1647.

CHAPTER XXX.

THE GREAT CIVIL WAR, 1642–1649.

A. Personal History.
B. Contemporary Rulers. } See previous chapter.

C. Topics of the Period.

(i) **International**: *relations with*—
(1) France: § 411.
(2) Palatinate: § 407.

(ii) **Constitutional**:
(*b*) *Non-English*—
(1) Scotland: §§ 411, 413, 414, 416, 418, 419–422.
(2) Ireland: §§ 411, 412, 414, 418.

(ii) **Constitutional**: (*a*) *English*—
(1) Church: §§ 406, 413, 417, 418, 420, 421.
(2) Army: §§ 407, 410, 414, 417, 421.
(3) Parties: §§ 406, 407, 417, 420, 421, 423, 424. [423.
(4) Negotiations: §§ 409, 417, 421,
(5) Parliament *v.* King: §§ 408–419.
(6) Parliament *v.* Army: §§ 421–424.

I. The First Civil War, 1642–1646.

§ **406. The Divisions of Classes and Localities.**—The real cause of the civil war was not the constitutional and legal questions which took so prominent a place in the copious pamphlet literature of the time, but the mutual distrust of King and Parliament. Charles had good grounds for doubting whether there was likely to be any limit to the demands made upon him: Parliament had equally good grounds for suspecting that Charles would take the first opportunity to repudiate his recent concessions (§§ 398–400). For the most part, classes, districts, and interests which were conservative in feeling supported the King, while those who desired further changes threw in their lot with Parliament. Those who believed in Episcopacy—whether Anglicans or Roman Catholics—were Royalists: the strength of the Parliamentarians lay in Puritanism. There was no hard and fast geographical or social line dividing the rival parties. But on the whole the backward portion of the land—the North and the West—supported the King, while the wealthier and more progressive regions of the East and Midlands supported Parliament (Plan, p. 257). The peers were mainly Royalist; the towns and the yeomen were mainly Parliamentarian; the gentry were pretty evenly divided.

§ **407. Military Conditions of the Civil War.**—At the beginning of the war the balance of military advantage lay with the King; and it is possible that a bold march on London might have ended the war before it was well begun. The bulk of Charles's followers were country-folk accustomed to riding and to roughing it in out-of-door work; while the bulk of the Parliamentarians belonged to the urban classes of more or less sedentary occupation. Owing to the long peace which had prevailed in England the partisans of both sides were badly in need of training; but the Royalists had the more promising raw material. Nearly all the officers who made their mark on either side—save the Royalist Montrose and the Puritan Cromwell—had seen service abroad as volunteers in the Thirty Years' War. On the King's side, these included his nephews Rupert and Maurice, the Earls of Lindsey and Forth, and Sir Jacob Astley: on the side of the Parliament, there were Essex, Sir Thomas Fairfax, Sir William Waller, and George Monk. But these experienced officers were unable to impart much training to their regiments, so long as the men took service for only a few months at a time and then returned to their ordinary business. The belief that the war would soon be over helped to prolong it, by postponing the serious attempts of either side to raise a regular army of trained troops. Ultimately Parliament won, because—while the Royalists remained mere *fighters*—the yeomen and apprentices were allowed time to be trained into *soldiers* (§§ 410, 417).

§ **408. General Survey of the War, 1642–1646.**—The war thus caused and conditioned lasted through three full-year and two half-year campaigns. The first campaign, in 1642, was marked by great indecision, each side being inexperienced and being influenced by its peace advocates; the second campaign, in 1643, was rendered indecisive by the inability of each side to concentrate its forces; the third campaign, in 1644, saw the entrance of the Scots into the quarrel turn the balance in favour of the Parliament; the fourth campaign, in 1645, was marked by the decisive victory of the reorganized army of the Parliament at Naseby; and the fifth campaign, in 1646, consisted in the capture of the isolated strongholds and armies which still stood out for the King. Throughout, these campaigns in England were vitally affected by events in the sister kingdoms; and the defeat of Charles's forces failed to bring the constitutional problems perceptibly nearer to solution.

§ **409. First Campaign, 1642: Edgehill and Brentford.**—At the outset Charles was hampered by lack of arms and money,

Parliament by the rawness of its troops and by a disinclination to risk unpopularity by imposing heavy taxation on its wealthy supporters. Parliament remained on the defensive, garrisoning a line of towns from Worcester to Northampton to bar the road to London. It was not till October that Charles began his advance. On October 23 he inflicted a repulse on Essex at Edgehill, in the south-east of Warwickshire, but Essex was none the less able to reach London first. Charles got as far as Brentford in the middle of November, and then deemed it prudent to retire for the winter to Oxford, which henceforth became his head-quarters. Essex took up his winter-quarters at Thame, some twelve miles east of Oxford. During the winter there took place the abortive negotiations known as the *Treaty of Oxford* (February 1643).

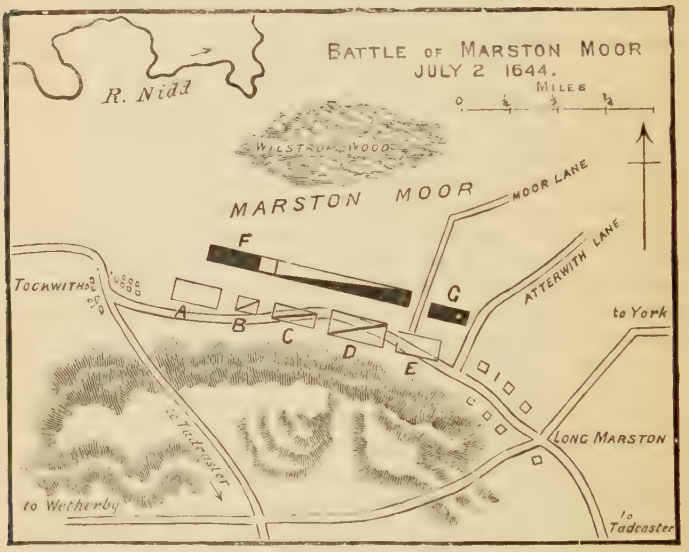
§ **410. Second Campaign, 1643.**—The prospects of the Parliamentarians were gloomy, and the Londoners were so discouraged by the cost of the war that the poet Waller formed a plot in April 1643 to seize the City and admit the King. But meanwhile their loosely organized *county* levies were being replaced by better organized *provincial* armies, of which the chief was that of the Eastern Association under Manchester and Oliver Cromwell. In the early part of 1643 the forces of the Eastern Association not only stamped out Royalism in its own district, but obtained a firm hold on Lincolnshire. Elsewhere the Parliamentarians at first fared badly: on June 18, Hampden was mortally wounded in a skirmish with Rupert's troopers at Chalgrove Field, near Oxford; on June 30 the Earl of Newcastle secured nearly the whole of Yorkshire for the Royalists by defeating the Fairfaxes at Adwalton Moor, near Bradford; and a series of Royalist successes—beginning with Hopton's victory at Stratton in Cornwall on May 16, and crowned by Rupert's capture of Bristol on July 26—deprived the Parliament of its hold on the South-West. The way seemed open for a combined march of the three principal Royalist armies on London. But, to conciliate local feeling, the advance was deferred until the fortified towns of Hull, Gloucester, and Plymouth should fall. The delay spoilt the scheme. Plymouth was relieved from the sea; Hull was relieved by Cromwell; Gloucester was relieved at the last moment by Essex on September 5. Essex secured his retreat to London after a fight with the King at Newbury in Berkshire on September 20.

§ **411. The Solemn League and Covenant, 1643.**—Each of the English parties had managed to hold its own; but, to bring the war to an end, allies were required. France and the other Continental

Powers were still too busy with the Thirty Years' War to intervene: but the issue of the English civil war closely concerned the sister kingdoms. There could be little doubt that, if the King won, his hand would be heavy on the Scottish Covenanters, whose resistance had been the practical beginning of his troubles (§§ 395–398). There could be as little doubt that the Parliament, if victorious, would show very little mercy to the Roman Catholic insurgents in Ireland (§ 427). In September 1643 the recognition of these facts led the Irish insurgents to come to terms with Charles, and the Scottish Covenanters to make an alliance with the Parliament. The former agreement, known as the *Cessation*, was made on September 15: the latter agreement, known as the *Solemn League and Covenant*, was completed ten days later. These treaties cannot be understood without knowing the circumstances of the consenting parties.

§ **412. State of Ireland, 1641–1643.**—The Ulster Rising of 1641 both helped and was helped by the quarrel between King and Parliament in England: it spread over all Ireland, and was not finally suppressed until the contest in England was settled (§§ 401–405, 427). The rising was begun by the native Irish in the hope of recovering their tribal lands and tribal customs; but in October 1642 they made common cause with the Hiberniander lords who, like the native Irish, had reason to fear the triumph of the Puritan party. The allies called themselves the "Confederate Catholics"; but the tie of their common religion was not always as strong as their old race antipathies. In the desultory war which followed, the Confederates had to face—sometimes separately, sometimes conjointly—three several sets of opponents, often at war with one another—(1) the King's forces under the Marquess of Ormonde, (2) the forces of the Parliament under various leaders, and (3) a Scots army under Monroe in the North. In this five-fold tangle it was natural that the parties which had, for the time being, common interests should form temporary accommodations with one another. Hence, the King strove to make terms with the Confederate Catholics: in September 1643, the *Cessation*, a truce for one year, set free part of Ormonde's troops for service in England; in August 1645, the *Treaty of Kilkenny*—commonly known by the name of Charles's agent as the *Glamorgan Treaty*—attempted to bring the war to a close by extensive civil and ecclesiastical concessions to the Irish. Neither treaty did Charles any military good: both did him great political harm—for they seemed to confirm the popular delusion that he was himself at heart a "Papist" (§§ 394, 401).

§ 413. **The State of Scotland, 1640–1643.**—The success of the Scots, especially the Lowland Scots, in resisting the attempt to impose Episcopacy upon them, encouraged them to hope that they might in turn impose Presbyterianism on the sister kingdoms. They had proved their ability to win their cause unaided in the Bishops' Wars; and when the English Parliament, unable to win its cause alone, asked their help, they were able to dictate their own terms. The *Solemn League and Covenant*—which, as the name



Parliamentarians, 24,000. **A**, Cromwell and Leslie; **B**, Crawford; **C**, Baillie; **D**, Lord Fairfax; **E**, Sir Thomas Fairfax.
Royalists, 22,000. Newcastle in centre; **F**, Rupert; **G**, Goring.

implies, was partly a civil alliance, partly a religious contract—provided, that whereas the Scots Kirk was to be "preserved," the English Church was to be "reformed." The treaty was negotiated by Sir Harry Vane, the younger, under the direction of Pym—who died shortly afterwards; and it entrusted the management of the war to a "Committee of Both Kingdoms."

§ 414. **Third Campaign, 1644: (i) Marston Moor.**—In January 1644, Ormonde's spare troops from Ireland, and a Scots army under Alexander Leslie, now Earl of Leven, entered England

as allies of the King and of the Parliament respectively. The Irish contingent was immediately crushed by the Fairfaxes at Nantwich (on January 25): the Scottish succours permanently turned the balance in favour of the Parliament. The Scots were joined by the army of the Eastern Association, under Manchester and Cromwell, and by Fairfax's army; and the three armies closed round the hitherto victorious Marquess of Newcastle, and shut him up in York. Prince Rupert raised the siege, but late in the evening of July 2, he insisted on fighting a battle against superior numbers on Marston Moor, a few miles west of the city. Cromwell's cavalry put Rupert's to flight, and saved Fairfax from defeat: henceforth Cromwell's troopers were known as Ironsides.

§ **415. (ii) South England.**—The battle of Marston Moor, which gave the whole of the North into the hands of the Anglo-Scottish host, was far more decisive and important than all the other battles of the year put together. After defeating Hopton at Cheriton in Hants (March 29), Waller joined Essex in laying siege to Oxford. But the two commanders parted in anger, and were beaten separately by Charles in person: Waller, at Cropredy Bridge on the river Cherwell (June 29); Essex, at Lostwithiel, in Cornwall—where his entire force of infantry was compelled to surrender (September 2), though he himself escaped by sea. Having thus driven from the field the two Parliamentary armies of the South, Charles made a dash for London; but he was successfully stopped by the army of the Eastern Association at Newbury (October 27).

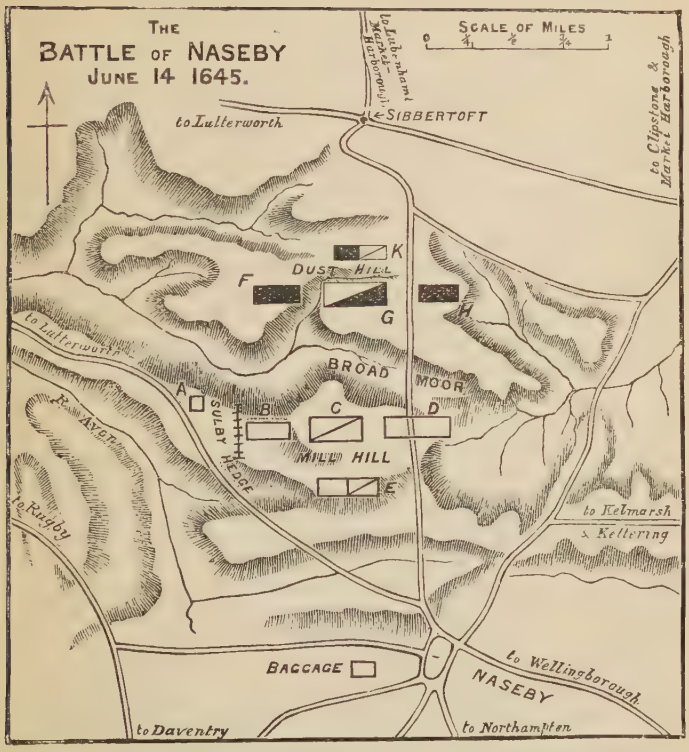
§ **416. Montrose in Scotland, 1644–5.**—The head of the Presbyterian Scots of the Lowlands was the Marquess of Argyll, chief of the powerful clan of Campbell. His alliance with the Parliament threw the many Highland clans which hated the Campbells into the arms of the King; and these clans found an able leader in James Graham, Marquess of Montrose. In the course of a twelvemonth, Montrose, with forces small in numbers, ill-equipped, and serving for very short periods, won a series of victories which seemed for a moment likely to turn the scale in favour of Charles. The series began with the battle of Tippermuir near Perth (September 1, 1644); it reached its climax in the battle at Kilsyth, near Glasgow (August 14, 1645); and it was effectually stopped by his overthrow at Philiphaugh in Selkirk, September 13, 1645.

§ **417. Negotiation and Organization, 1645.**—The military successes of Montrose encouraged Charles to refuse the hard terms proposed by Parliament in the *Treaty of Uxbridge*, January 1645;

he was required to take the Covenant, to agree to the abolition of Episcopacy, and to entrust the military and diplomatic business of the country to the Joint Committee for twenty years. Charles's adherence to Episcopacy was strengthened by the execution of his friend Laud in January—like Strafford, condemned for treason by Bill of Attainder—and by observing that his opponents were no longer agreed as to what form of church-government should be instituted (§ 420). There was a small but strenuous and growing party rising up among the Parliamentarians which thought Presbyterianism as objectionable as Episcopacy, and which was resolved to obtain peace by the energetic prosecution of the war, and to secure the continuance of peace by granting a large measure of religious toleration. Cromwell, the chief leader of these "Independents," roundly accused the principal generals, Essex, Manchester, and Waller—who belonged to the Presbyterian party—of trifling with the war in the interest of the King, and demanded a complete reorganization of the forces of Parliament. Early in 1645 this demand was met by two Ordinances: one replaced the fluctuating local levies by a regular standing army of 21,000 strong; and the other, called the *Self-Denying Ordinance*, deprived members of either House of military commands. Sir Thomas, now Lord, Fairfax became Lord-General, and Cromwell was placed over the cavalry in this freshly organized or "New Model" army: he was one of the few deprived officers who were reappointed.

§ 418. **Fourth Campaign, 1645.**—The success of Montrose decided the course of the campaign of 1645: the New Model decided its result. Leven's Scots army, instead of co-operating with the English armies, turned north to be ready to face Montrose, if necessary; Charles delayed leaving Oxford to join Montrose until the slow organization of the New Model had been completed, and was in consequence completely defeated by Fairfax and Cromwell at Naseby, near Market Harborough, on June 14; and Montrose, marching south to join his master, was overthrown at Philiphaugh by a detachment of Leven's troops under David Leslie. The battles of Naseby and Philiphaugh practically destroyed the King's military power. At the same time the capture of Charles's papers—which proved his intrigues with the Irish "rebels" and with the Roman Catholic Powers of the Continent, and which were at once published under the title of *The King's Cabinet Opened*—did him as much harm by discrediting him politically. Henceforth his only hope of success lay in taking advantange of the dissensions among his

victors. Philiphaugh had been won by the Scots for Presbyterianism: Naseby had been won by Cromwell for Independency. The religious toleration advocated by Cromwell's party seemed to the Presbyterian "a grand design of the Devil" (§ 420).



Parliament, 14,500. **A**, Okey; **B**, Ireton; **C**, Skippon; **D**, Cromwell; **E**, Fairfax.
King, 7,500. **F**, Rupert; **G**, Astley; **H**, Langdale; **K**, King.

§ 419. **Fifth Campaign, 1646.** There still remained a few bodies of troops and a few isolated fortresses holding out for Charles. But after Hopton's surrender to Fairfax at Truro, and Sir Jacob Astley's defeat at Stow-in-the-Wold in March 1646, Charles had no army in the field. On May 5 he took refuge in the Scots camp at Newark; and early in the following month he issued orders that all

places flying his flag should surrender. Though Harlech Castle held out till March 1647, the First Civil War may be regarded as practically ended by Charles I.'s flight from Oxford to Newark.

II. King, Parliament, and Army, 1646–1649.

§ **420. The Westminster Assembly of Divines, 1643–1647.**—The question of ecclesiastical reform—or, as it was then called, "the public profession of religion"—had caused the split among the Parliamentarians which encouraged Charles to appeal to arms; and it still continued as a dividing influence, of which Charles, worsted in his appeal to arms, confidently expected to be able to take advantage. But the question had changed in form during the civil war: as an alternative to one or other of the rigid and uniform church-systems proposed in 1641—Episcopacy or Presbyterianism—there had risen an effective demand for the flexible and diverse church-system known as Congregationalism or Independency. The Long Parliament had formally abolished the bishops in September 1642, and entrusted "the further and more perfect reformation of the Church" to a body of experts in the following summer. This Westminster Assembly sat from July 1643 to August 1647: it consisted of both divines and laymen, drawn from all the leading religious parties except Roman Catholics —who were at that time hardly regarded as Christians by the average Englishman of the day. The small number of Episcopalians withdrew at an early stage; and though there were present "Erastians," whose main idea was to secure the supremacy of Parliament over the Church, and Independents, whose main idea was to secure a tolerant church, the preponderating party was throughout—especially after the Anglo-Scottish alliance of 1643 (§ 413)—pledged to some kind of Presbyterianism. It drew up a *Directory of Public Worship* to supersede the *Book of Common Prayer;* and it also framed the *Westminster Confession of Faith*, the *Larger Catechism* and the *Shorter Catechism*—theological documents which still form the basis of British Presbyterianism. It also planned a system of Presbyterian church-government for England; but political power passed from the hands of the Presbyterian party before its reconstitution of the Church of England could be accomplished.

§ **421. Quarrel between Parliament and Army, 1647.**—In January 1647 the Scots received the pay due to them under the *Solemn League and Covenant*, and returned to their own country, leaving the King in the hands of the English Parliament. The

dominant party in Parliament was proposing to restore Charles to his full authority in return for his assent to the establishment of Presbyterianism. To make the negotiations easier and safer, Parliament in March passed certain ordinances reducing the Army, and striking off five-sixths of its arrears of pay. The Army objected, and, under the guidance of Fairfax and Ireton, organized itself as a kind of trade-union under a Council of Officers and a Council of Agitators—the latter consisting of two agents or agitators elected by each regiment. Thus organized, the Army seized the King at Holmby House near Naseby in June, marched on London, and ejected eleven of the Presbyterian leaders from the House of Commons. In August the Army put forth a document called *Heads of Proposals*, containing the conditions upon which they were willing to restore the King: among the more notable conditions were parliamentary and judicial reforms, and toleration to all religious parties except Roman Catholics. The terms offered by the Army were much more liberal and easy than those offered by the Parliament; but Charles, persuaded that he could ultimately win back his power without conditions, declined to accept. On November 11, he escaped from Hampton Court to the Isle of Wight, and there continued his intrigues with the English Presbyterians, the Scots, and the Royalists of all three kingdoms. At Carisbrooke Castle, on December 26, he made a secret *Engagement* with the Scots whereby, in return for a three years' trial of Presbyterianism and repression of the Independents, they promised to restore him to the monarchical power as defined in 1641.

§ **422. Second Civil War, March–August, 1648.**—The failure of the authorities to make any settlement, coupled with Charles's intrigues, kindled a fresh civil war, in which many who had previously taken part against the King, now acted on his side. London was kept down only by main force; and the fleet in the Downs, hitherto Parliamentarian, hoisted the royal standard and passed under the command of Prince Rupert. In the spring of 1648 Royalist risings broke out all over South Britain; in July a Scottish army under the Duke of Hamilton crossed the Border to their assistance. Fairfax crushed the southern risings by storming Maidstone (June 1), and by forcing Colchester to surrender (August 28). Cromwell, having taken Pembroke on July 11, pushed northwards, and defeated Hamilton in a three days' battle, extending from Preston to Warrington (August 17–19). Marching into Scotland, he helped Argyll's party, the *Protesters*, to recover its power.

§ **423. Pride's Purge, December 6, 1648.**—Charles's duplicity—springing out of his conscientious belief that Kingship and Episcopacy were sacred charges which must be defended from wicked men at all costs—was the direct cause of the second civil war. The Army had vowed vengeance against "Charles Stuart, that man of blood;" and Cromwell, who had come to respect the *man*, persuaded himself that the *King* must be called to account. When Parliament, therefore, re-opened negotiations with Charles —known as the *Treaty of Newport*—the Council of Officers presented the *Grand Army Remonstrance* demanding the dissolution of Parliament, and the punishment of the "capital and grand author" of all the troubles of the country. Finding the Remonstrance unheeded, the Army again seized the King, and "secluded" one hundred and fifty-three Presbyterian members of Parliament. The latter operation, known as Pride's Purge, took place on December 6: it left only about fifty members, which, as being the sitting part of Parliament, was nicknamed "the Rump."

§ **424. Trial and Execution of Charles I., January 1649.** —On December 23, the Rump voted that Charles should be brought to trial, and when the Lords declined to assent, declared that, as the people alone were the source of lawful power, the assent of the Lords was unnecessary. The Rump, which really represented only a small but armed minority, thus claimed to be not merely the House of Commons, but the whole Parliament. The trial lasted seven days; on January 20 Charles was arraigned by the specially created High Court of Justice, sitting under the presidency of John Bradshaw, as a "tyrant, murderer, public and implacable enemy to the Commonwealth of England;" on January 27 he was sentenced to death (sixty-seven out of the one hundred and thirty-five judges being present); and on January 30 he was executed outside his palace of Whitehall. He believed sincerely in the justice and righteousness of his cause: many of his judges had an equally sincere belief in the righteousness of their action. His brave and dignified bearing during his last troubles attracted almost universal admiration: it was a political opponent, Andrew Marvell, M.P. for Hull, who wrote the well-known lines about his execution:—

He nothing common did nor mean
Upon that memorable scene,
But with his keener eye
The axe's edge did try;
Nor call'd the Gods, with vulgar spite,
To vindicate his helpless right;
But bow'd his comely head
Down, as upon a bed.

CHAPTER XXXI.

THE COMMONWEALTH, 1649–1660.

A. PERSONAL HISTORY.—This period is included by *legal* reckoning in the reign of Charles II. (see next chapter), but he did not become *de facto* King till 1660. From 1653 to 1658, much of the kingly power was vested in a "Lord Protector." Oliver Cromwell (whose great-grandfather changed his name *Williams* for that of *Cromwell* in honour of his uncle, Henry VIII.'s Vicar-General, and who was born on April 25, 1599) was appointed Lord Protector on December 16, 1653; in 1657 he received parliamentary authority to name his successor; on his death, September 3, 1658, his son and nominee, Richard, succeeded him, but resigned on May 25, 1659.

B. CONTEMPORARY RULERS.

PAPACY.	EMPIRE.	FRANCE.	SPAIN.	TURKEY.	ELSEWHERE.
Innocent X. (1644)	Ferdinand III. (1637)	Louis XIV. (1643–1715)	Philip IV. (1621–1665)	Muhammad IV. (1648–1687)	Christina, *Sweden* (1632–1654)
Alexander VII. (1655)	Leopold I. (1658–1705)				Charles X., *Sweden* (1654–1660)

C. TOPICS OF THE PERIOD.

(i) **International**: *relations with*—
- (1) France: § 436.
- (2) Spain: § 436.
- (3) United Provinces: §§ 429, 430, 436.
- (4) Sweden: § 436.
- (5) Savoy: § 436.

(ii) **Constitutional.**
- (1) Scotland: §§ 428, 433, 434, 440.
- (2) Ireland: §§ 426, 427, 433, 434.
- (3) Parliament: §§ 425, 430–434, 437–441.
- (4) Written Constitutions: §§ 433, 437.
- (5) Church: §§ 435, 441.

I. PARLIAMENTARY REPUBLIC, 1649–1653.

§ **425. Establishment of the Republic, 1649.**—The death of the King left the Rump as the sole body with any show of legal authority; and such legal authority as it possessed was effective only because and so far as it had the support of the Army, which itself owed what claims to legal existence it possessed to the Ordinance of the Long Parliament (§ 417). The Rump proceeded

to assert that it really was various things that it really was not, and to take measures that no one should deny its assertions. On the day after Charles's execution it formally expelled from the House the members secluded by Pride's Purge ; on February 13 it entrusted the executive to a Council of State almost as numerous as itself, and consisting mainly of its own members; on March 17 it abolished the office of King as "unnecessary, burdensome, and dangerous to the liberty, safety, and public interest of the people" of England and Ireland ; on March 19 it abolished the House of Lords as "useless and dangerous ;" and on May 19 it passed an Act constituting "the people of England, and of all the dominions and territories thereunto belonging" as a "Commonwealth and Free State . . . without any King or House of Lords."

§ **426. Internal Resistance to the Republic : (i) England and the Colonies.**—The recent results of the Second Civil War prevented any fresh rising in England on the part of the Presbyterians or Royalists (§ 422); during the spring Fairfax and Cromwell had to repress several armed efforts to obtain more revolutionary changes, made by various groups of men whom we should now-a-days call by such names as "radical reformers," "socialists," or "anarchists." Of these, the most important were the Levellers, whose chief spokesman was John Lilburne: they wished to bring Parliament under the control, not of the Army, but of the nation, and ultimately to level all distinctions of rank in society. Most of the dominions and territories belonging to England had to be subjected by force to the Commonwealth. After Robert Blake had chased Prince Rupert's fleet (§ 422) from the British seas to the Mediterranean and defeated it there in 1651, the Channel Islands, and the British plantations in America and in the West Indies were soon reduced to submission.

§ **427. (ii) Ireland: The Second Conquest, 1649.**—Before the outlying colonies had acknowledged the change of government, Ireland had undergone her second conquest (cf. § 358). There no interruption had taken place in the fighting since the abortive *Glamorgan Treaty* of 1645 (§ 412); but the course of events in England had affected the balance of parties. On June 5, 1646, Owen Roe O'Neil, the gallant leader of the native Irish in Ulster, overthrew Monroe's Scots at Benburb, near Armagh, and thus greatly strengthened that section of the Confederate Catholics which, under the guidance of the Papal Nuncio Rinuccini, was aiming at national independence. About the same time, Charles had authorized his partisans to stop fighting (§ 419). When Ormonde, therefore,

in July 1647 found himself reduced to such straits that he could no longer hold Dublin, he decided to hand it over to the Parliamentarian Commander, Michael Jones, rather than to the Confederates. The execution of Charles I. changed the situation (§ 424). Ormonde returned to Ireland, and made alliance not only with the Anglo-Irish section of the Confederates, but also with the Ulster Scots. But before the O'Neil could join the coalition, Jones had broken its power by a victory at Rathmines, outside Dublin, on August 2, 1649. A fortnight later Cromwell landed with his English veterans and with orders from the Rump to bring the Irish war to a speedy close. The orders chimed well with his inclinations. As a general, he believed in the maxim, "When you hit, hit hard:" as a Puritan, he rejoiced to hit "Papists" hard. He avenged the "innocent blood" of 1641 (§ 401) by sacking Drogheda (September 11) and Wexford (October 12). In accordance with the custom of the time the garrisons were put to the sword. Having thus broken the neck of the "horrid rebellion," he left the completion of the conquest to his son-in-law, Ireton, who finished his task before his death in 1651. The Rump punished the long rebellion, and attempted to simplify Irish problems by transporting large numbers of Roman Catholics to Connaught. Their confiscated estates were assigned to the unpaid soldiers and other creditors of the Commonwealth. As these measures were carried out by members of the Cromwell family, who for the next decade bore rule in Ireland, they are usually known as "the Cromwellian Settlement" of Ireland (§ 451).

§ **428. External Resistance to the Republic: (i) Scotland.**—Scotland, unlike Ireland, was not a dependency of England: it was therefore constitutionally free to choose its own path. But it was not practically safe for the English Commonwealth to allow Scotland to uphold the Stuarts. On the execution of Charles I., his eldest son Charles was acknowledged as King by the Scots on condition that he accepted Presbyterianism. During the ensuing negotiations, the Irish Royalists were conquered, and Montrose, making an attempt to rally the Royalist party in the Highlands, was defeated at Corbiesdale in Ross, and hanged in Edinburgh (May 20, 1650). Charles II., thus driven to accept either the Covenant or permanent exile, submitted to Argyll's terms, and came to Scotland in June. In July, Cromwell, now commander-in-chief—*vice* Fairfax, resigned (§ 417)—crossed the Tweed and marched on Edinburgh; he was forced to retire by his former colleague, David Leslie (§ 414), but took advantage of a false move on Leslie's part to

defeat him at Dunbar on September 3. He took Edinburgh, but was still kept out of Stirling by Leslie. On January 1, 1651, Charles II. was crowned at Scone, and in August he pushed into England: he was overtaken by Cromwell and utterly defeated at Worcester on the anniversary of Dunbar. Charles, after six weeks' perilous wanderings in disguise, escaped to France: Scotland was conquered by Monk and Fleetwood before the end of 1655.

§ **429.** (ii) **The United Netherlands.**—The battle of Worcester, called by Cromwell "a crowning mercy," freed the Republic from all war dangers within the British Isles; and the rest of the English dominions were already being brought beneath its sway (§ 426). But the Republic had yet to face one more armed attack—an attack not dynastic or religious in motive, but purely commercial. During the first half of the seventeenth century the Anglo-Dutch alliance of Elizabeth's days had melted away. There had been a state of war between the trading companies of the two nations in the Far East: the Dutch "massacre" of the English settlers at Amboyna in the Moluccas (1623) had been the most notorious incident in the expulsion of the English from the Spice Islands. Nearer home the Dutch had trespassed on English fishing-grounds, and fought Spaniards who had taken refuge in English waters; and after their independence had been formally acknowledged by Spain in the great *Peace of Westfalia*, 1648, they set themselves to make profit by supporting the English Royalists in the outlying territories of England. Blake, during his long pursuit of Prince Rupert, frequently came into collision with the Dutch; and in 1652 the constant friction kindled open war. Commercial jealousies weighed more than a common Protestantism and a common Republicanism.

§ **430. The Navigation Act and the First Dutch War, 1651–1654.**—On October 9, 1651, the Rump passed a *Navigation Act* which was primarily intended to weaken the Dutch in their chief source of wealth, the carrying trade, but which eventually proved to be the foundation of British mercantile policy for nearly two centuries (cf. §§ 456, 514). The Act provided:—

(i) That *Colonial* produce (*i. e.* merchandise from America, Asia, and Africa) may not be imported into England except in ships built, commanded, and manned by Englishmen (whether of the mother-country or of the colonies).

(ii) That *European* produce may not be imported into England except in English bottoms, or in ships belonging to the country producing the goods imported.

The Dutch protest being unheeded, open war broke out in 1652. Though the English navy had been reorganized by Sir Harry Vane the Younger, its efforts were at first unsuccessful. It is said that the Dutch admiral van Tromp, after defeating Blake in the estuary of the Thames, in November 1652, cruised about with a broom at his masthead in token that he had swept the English from the seas. In the following year a series of battles took place—off Portland in February, off Yarmouth in June, and off the Texel on July 31—with the result that Blake, Monk, Deane, and Penn utterly defeated the Dutch admirals van Tromp, and de Witt, and de Ruyter. On April 4, 1654, the United Provinces agreed to the *Treaty of Westminster*, whereby they abandoned the cause of the Stuarts, promised compensation to English traders whom they had harmed in the Baltic and in the Far East, and acknowledged the supremacy of England in the Narrow Seas (cf. §§ 189, 199, 248).

§ **431. Quarrel between the Rump and the Army, 1653.**—In February 1652 an *Act of Oblivion* was passed pardoning political offences prior to the battle of Worcester. "The three nations" had been subjected to the Republic, "and thereby the Parliament had opportunity to give the people the harvest of all their labour, blood, and treasure." But instead of "settling the Commonwealth upon a foundation of justice and righteousness," the Rump, headed by Vane, devoted its energy to prolonging its own existence. The attempt led to a quarrel between Parliament and Army similar to that which had followed the First Civil War, and ending in much the same way (§§ 421, 423). On April 20, 1653, Cromwell, with the assent of the Council of Officers, interposed in a debate on the *Perpetuation Bill*, and telling the members that they were no Parliament, ordered his musketeers to turn them out of doors. At the same time he and his officers set up a new Council of State, in which military men had the preponderance over the civilians, numbering nine against four.

§ **432. The Assembly of Nominees, July–December, 1653.**—Cromwell invited "divers persons fearing God, and of approved honesty and fidelity" to come together on July 4, to help him to "provide for the peace, safety, and good government of the Commonwealth." The persons thus summoned, one hundred and thirty-nine in number, were selected by himself from those submitted by Congregationalist ministers throughout the country. They were "godly" but impracticable: they wished to abolish Chancery, tithes, and Church-patronage without putting anything in their places. On

December 11 they abandoned the task to Cromwell. The assembly has been nicknamed "Barebones Parliament," from a prominent member named Prayse Barbon; the Scots called it the "Daft Little Parliament;" it was really a somewhat visionary party caucus.

II. The Protectorate, 1653–1659.

§ **433. The Instrument of Government, December 16, 1653.**—Five days after the breakdown of this Assembly of Nominees, Cromwell, by the advice of his officers, assumed the style of "His Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland." He was to exercise the authority of Protector under the conditions of a written constitution called the *Instrument of Government*. He was to hold office for life; to direct the administration of public affairs in conjunction with a Council of State named in the *Instrument;* to have a fixed income for the maintenance of a civil service and of a standing army, and to be dependent on Parliament for extraordinary supplies. Parliament was to meet at least once every three years, and to sit not less than five months; the franchise was altered; and representatives were to be summoned from Scotland and Ireland. There was to be considerable liberty of religious worship, "provided that this liberty be not extended to Popery or Prelacy." The main object of the *Instrument of Government* was to secure the mutual independence of the Executive and the Legislative: neither could legally assert any control over the other, and neither could legally infringe the *Instrument*.

§ **434. First Protectorate Parliament, September 1654–January 1655.**—In September 1654, Oliver met his first Parliament, which, in virtue of his *Ordinance of Union* issued in April, contained representatives from Scotland and Ireland. Oliver found his Parliament obstinately resolved not to regard the *Instrument* as binding: its Republican members protested against any form of monarchy—or, as they put it, "government by a Single Person"—and tried to restore the sovereignty of Parliament; its Presbyterian members tried to obtain a stricter church-settlement. In order to get business done, Oliver forcibly excluded one hundred members—a measure unparalleled in Charles I.'s relations with his parliaments—and took the earliest opportunity to dissolve the Parliament, as soon as it had sat five *lunar* months.

§ **435. Arbitrary Government, 1655–6.**—The quarrel between the monarchy and the Parliament was followed, as in Charles I.'s time, by a fresh outburst of arbitrary methods of government. After

the suppression of various Republican and Royalist risings—the most notable attempt being Penruddock's seizure of Salisbury for "Charles II." in March 1655—England was placed under martial law for more than a year. The country was divided into thirteen districts, each patrolled by a major-general; and their expenses were defrayed by the *Decimation*, an arbitrary tax of ten per cent. on the property of Royalists. The arbitrary conduct of the Government applied not only to the persons and property of its subjects, but also to their religion (cf. §§ 393, 394). The *Instrument* had provided for the settlement of the Church by the Protector and the Parliament conjointly. But Oliver, like Charles, exercised a kind of ecclesiastical supremacy: during 1654 he instituted a board of "Triers" to examine the persons nominated by patrons to ecclesiastical benefices, and also boards of "Ejectors" to get rid of unsuitable ministers. But these Boards, unlike the old Court of High Commission, used character rather than creed as the test of fitness; and, generally speaking, Oliver's arbitrary rule, though as liable as Charles's to the epithet "illegal," had at least the merit of efficiency.

§ **436. Foreign Policy of the Protectorate, 1654–1658.**—The efficiency of Oliver's government weighed less in the minds of his own subjects than his irregular and novel position. But to foreign nations the constitutional fact that he was an "upstart" and a "usurper" was of less moment than the international fact that he was an ally worth having. "There is not a nation in Europe," he said with proud truth to his first Parliament, "but is very willing to ask a good understanding with you." He used his power, as he imagined Elizabeth to have done, in the cause of Protestantism and toleration. He made alliance with Sweden, brought the Dutch war to a close within four months of his formal accession to civil office (§ 430); and in 1656 he forced the Duke of Savoy to desist from persecuting his Protestant subjects, the Vaudois. Moreover, he intervened in the long war between France and Spain on the side of the more tolerant Power, and so helped to force Spain to accept the unfavourable *Peace of the Pyrenees* in 1659 (§ 362). The chief incidents of the war were the occupation of Jamaica by Penn and Venables in May 1655; Stayner's capture of the Spanish silver fleet (worth £2,000,000) in September 1656; Blake's capture of another treasure fleet in Teneriffe—just before his death—in April 1657; and Lockhart's successful siege of Dunkirk in June 1658. The immediate success, if not the ultimate wisdom, of Oliver's foreign policy was unquestionable. For a moment England became the leading Power

—military as well as naval—in Europe: in Dryden's words, "He made us freemen of the Continent."

§ **437. Second Protectorate Parliament, September 1656–February 1658.**—Oliver's success abroad mitigated, but did not abolish, the constitutional tension at home. He met his second Parliament in September 1656, and in the following June accepted from it a new constitution—embodied in two documents known as the *Humble Petition and Advice*, and the *Additional Petition and Advice*. This constitution increased the power of Parliament, and at the same time gave the Protector authority to nominate his successor and the life-members of a second chamber. It also proposed to change his title from "Protector" to "King"; but at the request of the Army he declined this proposal. In a second session, held early in 1658, the Commons fell out with Oliver's "Other House," and made further demands for more power: he therefore dissolved the Assembly after a fortnight's sitting. Oliver, like Charles and Strafford, believed that government, to be effective, must be in the hands of a single man of action, not in those of a motley crowd of talkers (§§ 384, 392). He described himself as "a constable set to keep order in the parish."

§ **438. Death of Oliver Cromwell, September 3, 1658.**—The summer following the dissolution of the Second Parliament was brightened by the successful campaign on the Continent (§ 436). But for the most part things were going against the Protector. He was worn out by his long struggles in the field and at the council board; he was beset by the plots of those who were eager to earn the £500 reward offered by Charles for his murder; he had been deserted by many friends who, not having the responsibilities of office, thought he had deserted them and their principles; and, after the death of his favourite daughter Elizabeth, Lady Claypole, in August, he took to his bed, and died of fever on his "lucky day," September 3 (§ 428).

§ **439. Protectorate of Richard Cromwell, September 1658–May 1659.**—Oliver was at once succeeded as Protector by his eldest surviving son Richard. But Richard, being neither a genius nor a soldier, nor a Puritan, was unable to retain that personal ascendancy over the Army which was his father's mainstay. When the Third Protectorate Parliament (January–April 1659) proposed to appoint him, though a civilian, to his father's post of Lord-General, the Army compelled him to dissolve it, and to reassemble the remnants of the Rump. Reduced to forty-two members, the Rump met under its

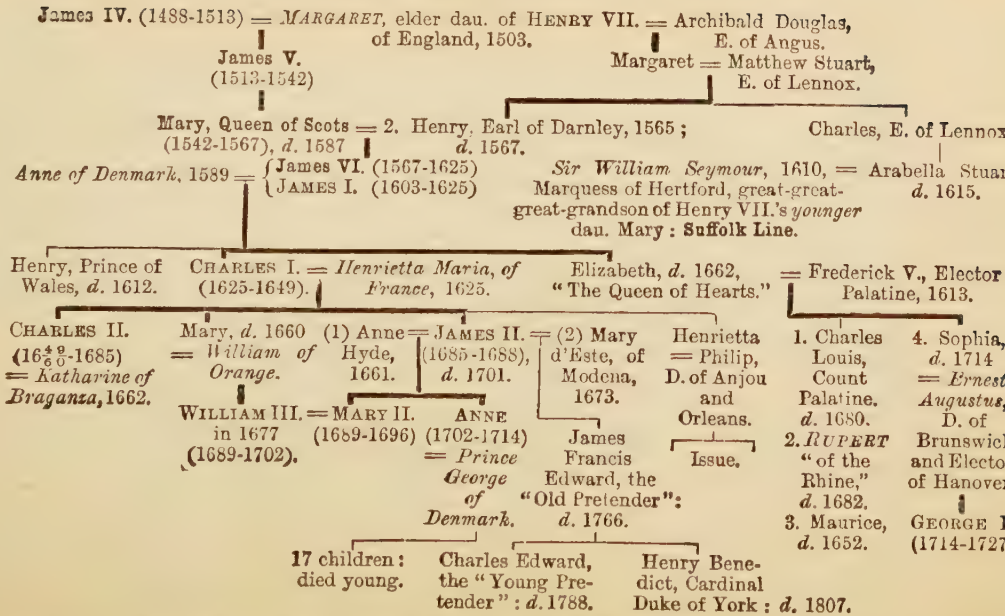
old Speaker Lenthal on May 7; and when it renewed its old opposition to government by "a Single Person," Richard gladly retired into private life a fortnight later. He lived for more than fifty years.

III. The Year of Anarchy, 1659–1660.

§ **440. Rivalry among the Generals.**—Between the peaceful retirement of "Tumble-Down Dick" on May 25, 1659, and the peaceful return of Charles I.'s son on May 25, 1660, there was interposed exactly one year of anarchy, mainly occupied with attempts by various generals to attain the position which Oliver Cromwell had held, and with attempts by the Rump to regain the position from which Oliver Cromwell had dislodged it. In August 1659 Lambert suppressed a Royalist rising under Sir George Booth at Winnington Bridge in Cheshire: he then marched on London and dissolved the Rump. But George Monk, with the army in Scotland, declined to recognize this dissolution. Early in February he came to London and compelled the Rump, which had again reassembled, to recall the "secluded" members of 1648 (§ 423). The revived Long Parliament took measures for the restoration of Presbyterianism, and finally exercised its statutory power of dissolving itself on March 16 (§ 400). This was Monk's doing: he had resolved to use his power not for his immediate personal advantage, but for the establishment of a government which should rest on the broad and safe basis of public approval—as expressed in a "free Parliament."

§ **441. The Convention and the Declaration from Breda, 1660.**—On April 25 the new Parliament met at Westminster: it differed from recent parliaments in being purely English, and in being freely elected by the old constituencies. The majority, therefore, was representative of the political Presbyterians and Royalists who had risen together for Charles I. in the Second Civil War. The restoration of the old kind of parliament involved the restoration of the old kind of monarchy. On April 14 Charles signed a *Declaration from Breda*, addressed "to all his loving subjects," in which he promised—*subject to the assent of Parliament* (§§ 445–449)—a full amnesty, "liberty for tender consciences," security of property, and satisfaction for Monk's army. On May 1 Monk made known the Declaration to the Convention, which at once sent a deputation to the prince inviting him to return. On May 25 he landed at Dover, and four days later—on his thirtieth birthday—made a triumphal entry into London. The new order had changed, giving place to old—or rather to what *seemed* old (§ 443).

The Royal House of Stuart.


James IV. (1488-1513) = MARGARET, elder dau. of HENRY VII. of England, 1503.
James V. (1513-1542)
Archibald Douglas, E. of Angus.
Margaret = Matthew Stuart, E. of Lennox.
Mary, Queen of Scots (1542-1567), d. 1587
2. Henry, Earl of Darnley, 1565; d. 1567.
Charles, E. of Lennox.
Anne of Denmark, 1589 =
James VI. (1567-1625)
JAMES I. (1603-1625)
Sir William Seymour, 1610, Marquess of Hertford, great-great-great-grandson of Henry VII.'s younger dau. Mary: Suffolk Line.
Arabella Stuart, d. 1615.
Henry, Prince of Wales, d. 1612.
CHARLES I. (1625-1649).
Henrietta Maria, of France, 1625.
Elizabeth, d. 1662, "The Queen of Hearts."
Frederick V., Elector Palatine, 1613.
CHARLES II. (16 2/6 0-1685) = Katharine of Braganza, 1662.
Mary, d. 1660 = William of Orange.
(1) Anne Hyde, 1661.
JAMES II. (1685-1688), d. 1701.
(2) Mary d'Este, of Modena, 1673.
Henrietta = Philip, D. of Anjou and Orleans.
1. Charles Louis, Count Palatine. d. 1680.
2. RUPERT "of the Rhine," d. 1682.
3. Maurice, d. 1652.
4. Sophia, d. 1714 = Ernest Augustus, D. of Brunswick and Elector of Hanover.
WILLIAM III. = MARY II. in 1677 (1689-1696) (1689-1702).
ANNE (1702-1714) = Prince George of Denmark.
James Francis Edward, the "Old Pretender": d. 1766.
Issue.
GEORGE I. (1714-1727).
17 children: died young.
Charles Edward, the "Young Pretender": d. 1788.
Henry Benedict, Cardinal Duke of York: d. 1807.

DIRECTIONS.—Scottish Kings in dark type; English kings in CAPITALS; men and women connected with the Royal House of Stuart by marriage only in *italics*; dates in brackets denote regnal years; the thick line denotes the lines of descent leading to English crowned heads.

NOTE.—James IV. was in the *eleventh* generation from that Walter *Fitz-Alan* of Oswestry who became Hereditary *Steward* of Scotland in the 12th century, and in the *sixth* from that Walter whose marriage with Marjory Bruce brought his son to the Scots throne in 1371 as Robert II.

BOOK VIII.

THE PROTESTANT REVOLUTION, 1660–1688,

BEING

THE STUART PERIOD: PART II.

§ **442. Retrospect, 1603–1660.**—In the general survey of the seventeenth century (§§ 361–368), some account was given of the political characteristics of the Stuart Period as a whole, and a broad contrast was drawn between its two principal divisions. In the brief but eventful quarter-century before us, our main business is to see how it was that the Stuarts, whose reappearance in 1660 was received with a national ecstasy of enthusiasm, were hissed from the public stage less than thirty years later. In order to understand this sudden change it is above all things necessary to bear in mind in what ways the events of 1640–1660 had, and in what ways they had not, changed the political conditions of the British Isles. The middle of the seventeenth century was a time fertile in political ideas and in political experiments. Many of the ideas have been put into working order during the Victorian Era: they remained for the most part unfruitful in practice at the time when they were mooted—partly because of the rooted conservatism of the English people, partly because their authors never obtained the confidence of the nation. Among the more notable of the political experiments of the time were Charles I.'s endeavour to govern without a Parliament (§§ 390–397), the Long Parliament's endeavour to govern in conjunction with Charles (§§ 398–405), and the endeavour of the party which had brought Charles to the block to govern without King or House of Lords (§§ 425–441). The first two of these experiments broke down mainly through the personality of Charles: the violent methods adopted to get rid of that personality did more than anything else to spoil the third experiment. Many of Charles's subjects had wished and hoped that he would change his conduct in this or that respect, and even joined in attempting to force him to change his conduct; but Charles never received the hatred and contempt generally felt throughout all three kingdoms for the military minority which had done him to death. Political Puritanism failed mainly because it did not retain its power long enough to conciliate

the majority: also, it was unattractive in its profession of austerity, and unfortunate in the early death of its "chief of men"—Oliver Cromwell. But though its positive work was swept away, it had achieved much on the negative side. Charles II. formally dated his reign in all three kingdoms from the day of his father's execution; but in point of fact nothing could be more misleading than to ignore what had happened since then, to pretend that the period of the Commonwealth was a blank in British annals. The First Stuart Struggle had wrought vital changes both in the institutions and in the public opinion of the country; and these changes combined with the altered position of international politics to give distinctive colour to the Second Stuart Struggle.

§ **443. General Characteristics of the Period, 1660–1688.** —The Restoration of 1660 is often considered merely as the restoration of the hereditary Kingship; but it was also the restoration of the old-fashioned English Parliament—in the place of a new-fangled British Parliament, for which men's minds were not yet prepared (§ 433)—and of the Elizabethan Church, episcopalian in government, ambiguous in formularies, distinctly not Roman, still more distinctly not Puritan (§§ 344, 420). All the machinery of government, ecclesiastical as well as civil, was supposed to be "restored" as before. But the work of the first session of the Long Parliament remained valid: the restored Kingship made no pretence of being able to raise money without consent of Parliament; it had lost its Prerogative Courts—the Star Chamber and the High Commission (§ 400); and for some twenty years it made no attempt to imitate Charles I.'s plan of doing without Parliament altogether (§ 473). The forces of love and fear, of suspicion and confidence, which worked the machinery of government, had undergone greater changes than the machinery itself. Both King and Nation had altered in these respects. The last two Stuart Kings of England retained, indeed, their ancestors' belief in the greatness of the Prerogative, but differed from them in adopting Roman Catholicism (§§ 367, 463). Their subjects in England and Scotland added to their old horror of "Popery" a newly acquired horror of extreme Puritanism and a standing army—which had combined to make life highly uncomfortable for the average man during the last decade—a lively dread of civil war, and a general tendency to endure much from the King and any other lawful authority rather than hazard a fresh outburst of the "late troubles." The latter part of our Hundred Years' Constitutional Contest is determined by the prevalence of one or

other of these popular fears in England : Scotland follows, Ireland is dragged, in the train of "the predominant partner."

§ **444. Chief Stages in the Second Stuart Struggle.**—The twenty-eight years before us are divided into two unequal reigns which are marked off clearly from one another by the distinct characters of the monarchs ; and each reign falls naturally into equally clear sub-periods :—

I. THE REIGN OF CHARLES II., 1660–1685 (ch. xxxii., xxxiii.).

(i) *The Restoration Settlement* in the three kingdoms (§§ 445–451).

(ii) *The Anti-Puritan Movement*, 1661–1670, during which the parties which had united to restore the old state of things join in devising measures for the punishment and repression of the lately dominant party (§§ 452–460).

(iii) *The Anti-Romanist Movement*, 1670–1681. About 1670 Charles II.'s domestic policy of toleration and his foreign policy of friendship with Louis XIV. cause him to be suspected of designs against the Protestantism of Britain ; the answering popular and parliamentary attack on "Popery" reaches its climax in the "Popish Plot" panic of 1678, and the attempt to exclude James, the King's brother, from the succession (§§ 461–471).

(iv) *The Royalist Reaction*, 1681–1685. The violence of Shaftesbury and other leaders of the Protestant party—now called *Whigs*—seems likely to lead to civil war, and so causes a reaction in favour of the peace-promising Kingship (§§ 472–474).

II. THE REIGN OF JAMES II., 1685–1688 (ch. xxxiv.).

James II. succeeds his brother while this Royalist reaction is in full swing, and resolves to take advantage of it to strengthen his Prerogative—by creating a powerful standing army and by regaining the power of arbitrary imprisonment—and to restore his realms to the Roman Communion. Blinded by his zeal to do what he believes to be right, he overrates his strength, and suffers a more sudden and lasting defeat than his father. His reign falls into three periods distinguished by his relations with the ecclesiastical parties in England :—

(i) *His Appeal to the Anglicans*, 1685–1686 (§§ 475–482).

(ii) *His Appeal to the Protestant Nonconformists*, 1687–1688 (§§ 483–489).

(iii) *The Combination of Anglicans and Dissenters against the Crown in the interest of their common Protestantism* (§§ 490–495).

CHAPTER XXXII.

CHARLES II. AND THE PROTESTANT NONCONFORMISTS, 1660–1670.

A. Personal History.—Born in St. James's Palace, May 29, 1630; assumed the title "Charles II." on the execution of his father, January 30, 1649, but did not actually exercise the power of king until he was "restored" by the English Parliament in May 1660; married Katharine of Braganza (*d.* 1705), May 20, 1662, but had no legitimate children; died at Whitehall, February 6, 1685. For family connections, see Table, p. 280.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Turkey.	Elsewhere.
Alexander VII. (1655) Clement IX. (1667) Clement X. (1670)	Leopold I. (1658–1705)	Louis XIV. (1643–1715)	Philip IV. (1621) Charles II. (1665–1700)	Muhammad IV. (1648–1687)	Frederick William "Great Elector" of Brandenburg (1640–1688)

C. Topics of the Period.

(i) **International**: *relations with*—
- (1) France: §§ 454–6, 459, 460.
- (2) United Provinces: §§ 455, 456, 459, 460.
- (3) Spain: §§ 454, 455, 459.
- (4) Sweden: § 459.
- (5) Portugal: § 454.

(ii) **Constitutional.**
- (1) Church: §§ 446, 449, 453, 459.
- (2) Ministers: §§ 450, 454, 457, 458.
- (3) Parliament: §§ 445–449, 452, 453, 457, 459.
- (4) Finance: §§ 446, 447, 457.
- (5) Parties: §§ 449, 453, 458.
- (6) Scotland: § 450.
- (7) Ireland: § 451.
- (8) Colonies: §§ 454, 455, 456.

I. The Restoration Settlement in the Three Kingdoms.

§ 445. The Work of Convention, June–December 1660: (i) **Regicides.**—The assembly which Charles found sitting at Westminster is called a "Convention" partly because it lacked the royal

summons required to constitute it technically a Parliament, partly because its functions were those of a constituent assembly—a body chosen to decide the future constitution of the country (cf. § 505). Its main business was to determine the extent of the indemnity for life, liberty, and property which Charles had promised from Breda (§ 441), and to furnish supplies for the needs of the Government. After prolonged discussion in both Houses, a *Bill of Indemnity and Oblivion* received the King's assent at the end of August. By that Act all persons who had sided against the King in the Great Rebellion, or had taken part in the Government of the Commonwealth, received a full pardon, with the exception of certain classes and individuals who were either subjected to various disabilities as citizens, or ordered to be brought to trial before a special Judicial Commission. Those who had had any direct share in the trial and condemnation of "King Charles of Blessed Memory"—the Regicides as they were called—were especially singled out for exemplary punishment. In the end thirteen Regicides were beheaded, and nineteen imprisoned for life; the carcases of four prominent dead Regicides—Oliver Cromwell, Ireton, Bradshaw, and Pride—were dug up and hanged in chains at Tyburn; and special vengeance was taken on four leading Presbyterians who were not Regicides. The bodies of Pym and Blake were cast out of Westminster Abbey. Lambert and Vane were sentenced to perpetual imprisonment and to death respectively. The execution of Vane—which did not take place till June 1662—was contrary to the intention of the Convention and aroused unfavourable comments. In this case Charles II., contrary to his custom, was not on the side of clemency: "Vane was too dangerous to live," Charles wrote to Clarendon, "if he could honestly be put out the way."

§ **446. (ii) The Lands Question.**—The Convention thus settled the principle of the "indemnity for life and liberty," but left many details to judicial bodies. In the kindred question of "indemnity for property" Convention could not even lay down any principle, and left the whole matter to be fought out in the Courts. "During the late troubles" the Government had sold both royal and ecclesiastical lands, and also the confiscated estates of Royalists; and among the land-transfers of the period many which were voluntary in outward show had really been necessitated by the heavy pressure of special taxation imposed on Royalists (§ 435). The Law Courts dispossessed without indemnification all who had bought land from the late Government, on the ground that its existence, and therefore

its acts, were illegal, but it treated all "voluntary" sales as valid. Thus, many who had lost either their lands, or their incomes for many years, solely through their loyalty to Charles I., received no compensation of any kind at the Restoration. One of these discontented Royalists aptly described the work of the Convention as "Indemnity to the King's enemies, and Oblivion to his friends."

§ **447. (iii) The Revenue.**—Charles II. was much more plentifully supplied by Parliament with money than his father had ever been (§§ 383, 393). Convention made him a life-grant of various taxes which were estimated to bring him in £1,200,000 per annum. Among these taxes was an excise on beer—a mode of taxation introduced during the Commonwealth, after the example of the Dutch, and now granted as compensation to the King for formally relinquishing the dues payable to him as feudal lord by tenants in chivalry. These feudal dues, like the feudal obligation to take up knighthood (§§ 118, 393), had become a troublesome and useless survival; attempts had been made under James I. to get rid of them by law (§ 374); they had actually been intermitted during the Commonwealth; and they were now formally abolished on terms advantageous to both King and tenants—the King obtaining a larger sum of money, and the tenants being able to foist some of the burden of the substituted taxes on to the shoulders of the community at large.

§ **448. (iv) The Army.**—Convention provided the money with which Monk paid off and tactfully disbanded the bulk of the Army whereby he had brought about the Restoration. One of his regiments was retained, and, under the name of the Coldstream Guards, became the nucleus of the English standing army. During the reign of Charles II. other regiments were raised for garrison work or for service abroad; but this imitation of the methods of the Commonwealth was viewed with suspicion by all parties, who feared that the standing army might be used as an instrument of royal despotism (§§ 421–424, 506). Having thus closed some of the outstanding questions of the time on a basis which, considering the exuberant loyalism of the hour, may fairly be considered moderate, the Convention was dissolved on December 29, 1660: in the royal speech of dismissal Charles bestowed on it "a name to live to all posterity—the *Healing and Blessed Parliament*."

§ **449. Settlement of the English Church, 1660–1662.**—The most important question which the Convention left open was the future of the Church of England. The Commons petitioned the

King to consider the matter in conjunction with a body of divines; but the Savoy Conference in April and May 1661 failed to settle any compromise satisfactory to both Episcopalians and Presbyterians (cf. §§ 372, 420, 507). Charles himself was indifferent: he thought "Presbyterianism was no religion for a gentleman," but on the other hand he inherited not his father's Protestant Episcopalianism, but his mother's Roman Catholicism, and what he really wished was toleration. As the King could not get what he wanted he let his second Parliament have what it wanted (§ 452). In that assembly the Presbyterians were few in numbers, and the Episcopalian Royalists had matters all their own way. They repealed the Act excluding the Bishops (§ 420); and, following the example set by the Commonwealth Government in ejecting the Laudian clergy (§ 435), thrust out from their livings the 2000 or so ministers who declined to conform to the conditions imposed on all officers in the Church of England by the *Fourth Act of Uniformity*, February 1662:—

(1) To have received ordination from an Anglican bishop.
(2) To use the revised *Book of Common Prayer*, and nothing else, in Church services.
(3) To declare unfeigned consent to all the contents of the Prayer-Book.
(4) To renounce the *Solemn League and Covenant*.
(5) To make a sworn declaration against the legality of making war on the King.

§ 450. The Restoration in Scotland, 1660–1665.—The Restoration released Scotland from its parliamentary union with England (§ 433), and from the presence of Monk's English army and garrisons; but at the same time it deprived Scotsmen of equality in trade-privileges with Englishmen. Moreover, Charles soon showed that, in his estimation, the Scots opposition to his father outweighed the grudging services which they had rendered to himself in 1650–1651 (§§ 395–398, 413–418, 428). Argyll, who had set him on the Scots throne in 1650, suffered death as a traitor in May 1661. About the same time Episcopacy was restored in the Scots Kirk by the *Act Rescissory*, rescinding all ecclesiastical laws made in Scotland since Charles I.'s coronation visit in 1633, and the *National Covenant* was burned by the common hangman (§§ 395, 510). Many ministers left their manses rather than submit to the new state of things, and preached to their followers in open-air "conventicles." These Covenanters were especially numerous in south-western Scotland, and there they offered a steadfast resistance to the attempts of the Government to suppress their conventicles as treasonable assemblies

(cf. § 453). In 1666 a body of these Covenanters took up arms and marched on Edinburgh; but they were defeated at Rullion Green in the Pentland Hills. During the greater part of Charles II.'s reign his chief advisers in Scottish affairs were John Maitland, Earl—afterwards Duke—of Lauderdale, and James Sharpe, Archbishop of St. Andrews. Sharpe was a convert from Presbyterianism, and zealously persecuted the "outed ministers" and their adherents: in 1669 Lauderdale, who was a Royalist before all things, obtained relief for the Presbyterians—scornfully called the *Black Indulgence* (cf. § 469)—in the hope of strengthening the power of the Crown.

§ **451. The Restoration Settlement in Ireland, 1660–1665.**—Shortly after the Restoration Ormonde was again appointed Lord-Lieutenant of Ireland (§§ 412, 427). There the main difficulty, as usual, was the land question. On the one hand, Charles was bound to do something for those who had helped his father, and who had suffered under the Commonwealth either for their politics or for their religion. On the other hand, it was dangerous to disturb the Cromwellian soldiery who had received allotments in Ireland; and it was also inexpedient to do so lest the Anglo-Protestant ascendancy should be shaken. Ormonde tried to meet the difficulty by passing two measures through the Irish Parliament—the *Act of Settlement*, 1662, and the *Act of Explanation*, 1665. The general effect of these Acts was to deprive the soldiers and adventurers of one-third of their lands, which were thereupon distributed among such of the Irish Royalists as had influence enough at Court to make their claims heard. The settlement pleased no one; and about the same time further dissatisfaction was caused by an English Act which protected English farmers from Irish competition by forbidding the export of cattle, meat, or butter to England. The commercial position of Ireland, like that of Scotland, suffered from the dissolution, at the Restoration, of the parliamentary union compulsorily effected under the Commonwealth (§§ 430, 433).

II. The Anti-Puritan Period, 1661–1670.

§ **452. Beginnings of the Cavalier Parliament, 1661–1665.**—In May Charles II. met his second Parliament (§ 449); it is sometimes known from its duration—it was not dissolved till January 1679 (§ 465)—as the "Long Parliament of the Restoration;" and its exuberant loyalty in its earlier stages has earned it the name of "the Cavalier Parliament." Clarendon had some trouble in persuading it to confirm the Acts of the irregular Convention (§§ 445–448).

During its first session it explicitly declared that Parliament had no legislative authority without the King; that it could not lawfully make war on the King; and that the sole command of the militia and of all other military forces by land and sea was vested in the King (§ 405). While thus limiting its powers of interference with the Crown, it was careful to guard against certain attempts to interfere with itself (cf. §§ 423, 431, 440). In 1661 it passed an *Act against Tumultuous Petitioning* which provided that no petition for constitutional changes should be signed or presented to Parliament by a large number of persons; in 1662 it passed a *Licensing Act* which gave parliamentary sanction to the various restrictions on the Press—limiting the number of printers and presses, and requiring all writings to be approved by State officials before publication—which had hitherto been imposed by the authority of the Crown alone (§§ 344, 522); and in 1664 it passed a *Triennial Act* which, while repealing many of the provisions of the Act of 1641, enacted that Parliament should meet at least once in three years (§§ 400, 519).

§ **453. The Clarendon Code, 1661–1665.**—Besides this purely civil legislation, the Cavalier Parliament passed several notable ecclesiastical or semi-ecclesiastical laws. The *Act of Uniformity*, its principal example of purely ecclesiastical legislation (§ 449), was preceded by a semi-ecclesiastical measure—the *Corporation Act* of December 1661—and was followed by two Acts which may be described as measures of church-defence—the *Conventicle Act* of May 1664, and the *Five-Mile Act* of October 1665. The *Corporation Act* required all candidates for office in any municipal corporation to take the Communion in accordance with the rites of the Church of England, to renounce the Covenant, and to make a declaration against the lawfulness of making alterations in Church and State. This Act thus used a religious test as a qualification for lay office. The other two Acts attempted to protect the Established Church from competition in religious teaching: the *Conventicle Act* made illegal all assemblies for religious worship, save those held in accordance with the *Act of Uniformity;* the *Five-Mile Act* forbade ministers who had declined to conform to the Act of 1662 to teach or come within five miles of any borough or of any place where they had held livings. These two Acts were designed to prevent the military arrangements for rebellion being made under cover of meetings for religious worship, especially in the towns (§ 406). Taken together, the four Acts are known, after the title of the statesman who designed them, as the "Clarendon Code."

§ **454. Clarendon's Foreign Policy, 1660–1664.**—Hyde had been Charles's principal adviser for some years before the Restoration, when he was created Lord Chancellor and Earl of Clarendon, and his daughter Anne became the wife of the King's brother, James, Duke of York. He had been one of the parliamentary minority in 1641 which approved of the civil reforms of the Long Parliament, but drew the line at meddling with Episcopacy or imposing further restraints on the King (§ 402). His rigid conservatism showed itself not only in his home, but also in his foreign policy. Like Cromwell, he clave to the Elizabethan tradition of friendship with France: in 1661 he married the King's favourite sister Henrietta to Louis XIV.'s only brother, the Duke of Orleans; in May 1662 he married his master to Katharine of Braganza, whose family had recently, with French help, made the Portuguese kingdom independent of Spain (§ 352); in the following November he sold Dunkirk, Cromwell's last conquest from Spain (§ 436), to Louis XIV. for £250,000. Dunkirk was of no particular use, and its sale was recommended by Monk, now Duke of Albemarle and Commander-in-Chief; but its loss, like that of Calais and Boulogne (§§ 322, 330), wounded popular vanity and helped to weaken Clarendon's position. Katharine's territorial dowry was more valuable if less esteemed: she brought Tangier—which, after being garrisoned for twenty years as an English naval station at the entrance of the Mediterranean, was abandoned on account of its expense—and Bombay, the first English possession on the west coast of India.

§ **455. Colonial Expansion, 1660–1664.**—Elsewhere also the early years of Charles II. were marked by territorial expansion. The African Company obtained a footing on the Gold Coast. In 1663 several of Charles II.'s intimates, including Clarendon, Albemarle, and Anthony Ashley Cooper, obtained a charter to found, south of Virginia, the colony of Carolina, which bears in its place-names the memorial of its origin. Charleston, the capital of one of the Carolinas, is situate at the junction of the Ashley and Cooper rivers. In the following year, Sir Robert Holmes seized the Dutch colonies lying between Virginia and New England (§ 377); and in honour of the Lord High Admiral, James, Duke of York, its island capital, New Amsterdam, was renamed New York. Thus for the first time there stretched along the strip of country intercepted between the Alleghanies and the Atlantic an unbroken line of English colonies—from the French settlements in Canada to the Spanish settlements in Florida.

§ **456. Second Anglo-Dutch War, 1665-1667.**—English aggression in the Dutch preserves of West Africa and the Hudson Valley helped to bring about a second war with the United Provinces in 1665: other causes were the enactment, in 1661 and 1663, of further laws on the lines of the *Navigation Act* of 1651 (§ 430), and the exclusion from office in the Netherlands of Charles II.'s nephew, William of Orange (§ 462; Table, p. 280). In June 1665 York, Prince Rupert, and Edward Montague—who had been created Earl of Sandwich for bringing the Navy round to Monk's side in supporting the Restoration—defeated Opdam in Solebay, near Lowestoft. Fighting was interrupted during the remainder of the summer by the prevalence of a terrible epidemic, which, from its peculiar deadliness in the crowded capital, is known as the Great Plague of London. In June 1666 Albemarle attacked the superior force of Witt and Ruyter in the Downs, and was saved from destruction only by the arrival of Prince Rupert; but he retrieved his reputation in August by defeating a Dutch fleet and capturing the merchantmen in its convoy off the Dutch coast. The following month was marked by the Great Fire of London, which raged three days, burned three-fifths of London, rendered 200,000 people homeless, and gave Sir Christopher Wren the chance of setting upon the new city the stamp of his architectural genius. In June 1667 a Dutch fleet under Ruyter burned an English squadron in the Medway, but was prevented from sailing up the Thames to bombard London by the promptitude of Albemarle. On July 31 the *Treaty of Breda* brought the war to a close: the Dutch kept Pularoon in the Moluccas and Surinam in Guiana; the English retained the Hudson Valley, but recognized the right of France—who had been the passive ally of the Dutch during the later phases of the war—to the colony of Acadie or Nova Scotia (§ 391).

§ **457. The Fall of Clarendon, 1667.**—The English fought well during the war when they had the chance, but they had been hampered by the inefficient civil administration of the Navy. The money liberally voted by Parliament had been squandered on the King's harem; and the waste had excited the anger of even the loyal Cavalier Parliament. In 1665 it had stipulated that its extraordinary vote of over a million pounds—doubling the King's usual revenue—should be spent entirely on the Navy. Two years later Parliament followed up this revival of the occasional practice of parliamentary *appropriation* of supplies by insisting on a parliamentary *audit* of the royal accounts: it was useless for Parliament to be able to say that

money should be spent in a certain way unless it had also the power afterwards to see that it had been so spent (§§ 200, 226, 381, 505). Clarendon resisted these innovations, and was made the scapegoat for the disasters of the Dutch war. He had annoyed the extreme Royalists by standing between them and vengeance on the "Buff Grandees of the Independent Swordsmen;" and he had annoyed the King and his mistresses by looking askance at their goings-on. Charles dismissed him from office in August 1667; and, when he was impeached in the following November, Charles urged him to leave the country lest he should meet the fate of Strafford (§ 399). In exile Clarendon wrote his *History of the Great Rebellion*.

§ 458. The Cabal, 1667–1672: (i) Members and Features.—Clarendon's fall was followed by a marked change in Charles II.'s methods and policy. Instead of having one principal adviser, he worked with a small group of ministers, officially known as the "Committee of Council on Foreign Affairs," but usually spoken of as the King's *Cabinet* or *Cabal*. But it is important to remember that neither was Clarendon "Prime Minister," nor did the ministers who succeeded him form a "Cabinet," in our modern sense of those terms (cf. §§ 496–503). The particular cabal who more or less enjoyed Charles II.'s confidence from 1667 to 1673, are known as "*The* Cabal," because the initial letters of their names happened to spell that word, and because each of the five was a person of conspicuous personality. They were **C**lifford, **A**rlington, **B**uckingham, **A**shley, **L**auderdale. Sir Thomas Clifford and Henry Bennet—created respectively Baron Clifford of Chudleigh and Earl of Arlington for their services in 1672—were Roman Catholics. Buckingham, the son of Charles I.'s friend, was a restless and brilliant profligate of no particular principles: to use the words of John Dryden—the Poet Laureate, and the leading literary figure of the period that followed the death of Milton and Bunyan—he "was everything by starts, and nothing long." Lauderdale was Secretary for Scotland (§ 450). Anthony Ashley Cooper, created Lord Ashley at the Restoration and Earl of Shaftesbury in 1672, was a politician gifted with exceptional wit, good humour, ill health, energy and foresight. He was more bitterly satirized by Dryden than even Buckingham; and Butler, the author of *Hudibras*, described him in such lines as these :—

> "Another factious grave bell-wether,
> Whose tongue 's the Devil's breeches leather . . .
> The city's God, the rabble's leader,
> A lord, a rebel, and a trader."

§ **459. (ii) General Policy.**—Butler's description of Shaftesbury as a "trader" calls attention to his constant advocacy of the cause of English commerce: another cause to which he was true throughout all his political changes was that of religious toleration. Toleration and, in a less degree, hostility to France were the only points of policy which all the members of the Cabal had in common: in this respect their advent to power marks a change from the policy of the Clarendon period. In 1668 they brought in a Bill for the "Comprehension" of Presbyterians in the Church of England, and for the "Toleration" of other kinds of Protestant Nonconformists; but neither scheme was successful, and in 1670 they were compelled to let Parliament pass a second *Conventicle Act*. In 1668 also they assented to the *Triple Alliance* which Sir William Temple formed between England, the United Provinces, and Sweden to check Louis XIV.'s aggressions in the Spanish Netherlands. The "Triple Bond" between the Three Protestant Powers was immensely popular in England, and it helped to bring about the Franco-Spanish *Treaty of Aachen*, or *Aix-la-Chapelle*, at the end of the same year. Samuel Pepys, the Admiralty official whose *Diary* tells us so much about the inner workings of Court life at the time, called the *Triple Alliance* "the only good thing that hath been done since the King came to England."

§ **460. The Secret Treaty of Dover, 1670.**—Charles had no wish to quarrel with his cousin of France: he admired Louis's religion and despotic government, and wished to imitate them in England. He knew that he could not effect his designs without foreign help, and the *Triple Alliance* was merely a device to force better terms from the French King for the neutrality of England. In June 1670 the *Secret Treaty of Dover* was negotiated between the two monarchs by Henrietta, Duchess of Orleans (§ 454): in return for subsidies and a share of the plunder, Charles was to help Louis to conquer the United Netherlands; and as soon as Charles thought it safe to declare himself a Roman Catholic, Louis was to find further subsidies and lend troops to put down any rebellion which Charles's announcement of his change of religion might cause in England. Clifford and Arlington, and one or two other Roman Catholics, alone knew the terms of this treaty; but to explain the change of front in foreign policy, Buckingham was allowed to negotiate another treaty from which the religious clauses were omitted, and which is therefore known as the "*Sham*" *Treaty of Dover* (December 1670).

CHAPTER XXXIII.

CHARLES II. AND THE CATHOLIC NONCONFORMISTS, 1670–1685.

A. Personal History. **B.** Contemporary Rulers. } See previous chapter.

C. Topics of the Period.

(i) **International**: *relations with*—
(1) France: §§ 462, 465, 472, 474.
(2) United Provinces: §§ 462, 464, 465, 471, 472.
(3) Spain: § 464.

(ii) **Constitutional**: (*b*) *Non-English.*
(1) Scotland: § 469.
(2) Ireland: § 469.

(ii) **Constitutional**: (*a*) *English*—
(1) Church: §§ 463, 464, 466, 468.
(2) Ministers: §§ 464, 465, 467, 474.
(3) Parliament: §§ 464, 465, 467–471, 473.
(4) Justice: §§ 466, 468, 472.
(5) Finance: §§ 461, 472.
(6) Parties: §§ 465, 467, 469, 471, 472.

I. The Anti-Romanist Period, 1670–1681.

§ **461. Stop of the Exchequer, 1672.**—The *Treaties of Dover* have been called by Hallam "the first act in the drama which ended in the Revolution." They do indeed mark a notable change in the international and ecclesiastical policy of the Stuarts; but the importance of the change was not immediately made manifest. For some time Charles was able to proceed with his plans without serious molestation (§ 464). Early in 1671 he obtained a grant of £800,000 for the Navy, which Parliament gave in the belief that it was to be used for war against France. A year later—in January 1672—Charles obtained further funds by a device recommended by his Lord Treasurer, Clifford, and known as the "Stop of the Exchequer:" that is to say, he announced that the £1,300,000 which had been advanced to the Government by the goldsmiths, the bankers of those days (§ 518), on the security of the revenue, would not be repaid when due but would be retained for a twelvemonth,

and that the interest would be reduced from 12 per cent. to 6 per cent. The trick was dishonest and silly—it was analogous to killing the goose that lays golden eggs; but it furnished ready money.

§ **462. Third Anglo-Dutch War, 1672.**—In March 1672 Holmes made a treacherous and unsuccessful attack on the Dutch Smyrna fleet lying off the Isle of Wight; in June, York and Sandwich, in command of an Anglo-French fleet, fought a drawn battle with Ruyter off Southwold; and about the same time Louis invaded the Northern Netherlands in person, with an army that included an English contingent under Charles's illegitimate son James, Duke of Monmouth. The main results of the attack were to rouse English feeling against the Government, to set afoot a European coalition against France, and to raise William of Orange to the head of affairs in the United Provinces, under the title his father and other members of his family had held before him—Stadholder.

§ **463. The Declaration of Indulgence, March 1672.**—Meanwhile Charles had been feeling his way towards the ecclesiastical revolution which he had in mind. In March 1672 he issued a Proclamation wherein, by virtue of "that Supreme Power in ecclesiastical matters which is not only inherent in Us but hath been declared and recognized to be so by several Statutes and Acts of Parliament," the King "suspended the execution of all and all manner of penal laws in matters ecclesiastical against whatsoever sort of Nonconformists or Recusants." This Proclamation—which had the effect of releasing from gaol many thousands of persons who had disobeyed the *Conventicle Act*—is known as the *Declaration of Indulgence*. Amongst those thus set free was John Bunyan the preaching tinker who during his eleven years' confinement in Bedford Gaol had written the *Pilgrim's Progress*.

§ **464. The Test Act and the Break-up of the Cabal, 1673.**—In January 1673 Parliament reassembled after an intermission of nearly two years: it had little certain knowledge of what had been going on, but it saw enough to be suspicious of the King's designs. Charles had hoodwinked Parliament about his foreign policy; he had joined France, now obviously taking the place of Spain as the champion of Roman Catholicism, in a treacherous attack on a Protestant Power; he was under the influence of the French "Papist," Louise de Kerouaille, whom Louis had sent over to be his mistress and religious adviser, and whom Charles had created Duchess of Portsmouth; his brother James had publicly announced his reception into the Roman Church, and was about to

take as his second wife a Roman Catholic princess, Mary of Modena; and in issuing the *Declaration of Indulgence*, Charles had not only stretched his Prerogative, but also, under the specious plea of toleration, he had taken "Papists" under his protection. These were the principal facts which caused the sudden revulsion from fear of Puritanism to fear of "Popery." In the session of 1673 Parliament compelled Charles to withdraw his Declaration, and to give his assent to a Bill "to prevent danger from Popish Recusants." This *Test Act* required all office-holders to take the sacrament according to the Anglican use, and to make a declaration against Transubstantiation. York, the Lord High Admiral, and Clifford, the Lord Treasurer, at once resigned: Arlington followed their example. About the same time Charles dismissed Buckingham at the request of the Commons, and Shaftesbury, because, having discovered that he had been duped about the Dover treaties, he joined in the cry for the *Test Act*. Lauderdale alone of the Cabal remained in office; and he really belonged to the Scottish rather than to the English administration.

§ **465. Danby's Ministry, 1673–1678.**—On the break-up of the Cabal, Sir Thomas Osborne, created Earl of Danby, became Lord Treasurer and Charles's principal minister. Danby followed Clarendon's "Church-and-King" policy, so far as it was applicable in a widely different state of affairs. He was hampered by the King's stealthy endeavours to attain his personal objects; by the rise of a powerful opposition in Parliament—led by Shaftesbury in the Lords, and by Lord William Russell in the Commons; by the increasing suspicions of his own party; and by the difficulty of squaring his own preference for a Dutch alliance with his master's preference for a French alliance. His five years' ministry was a tangle of cross-purposes, in which no person or party steered a straight or consistent course. Danby tried to keep the Commons in hand both by persuasion and by force (§ 376). He systematized the practice of paying members for their support with pensions or offices: hence the "Cavalier" Parliament in his time became known as the "Pension" Parliament (§ 452). In 1675 he tried to pass a *Placemen's Bill* binding every officer of State, and every member of either House, to take the oath of Non-Resistance—*i. e.* to swear that he would not at any time "endeavour the alteration of government in Church and State." At the end of the same year he similarly attempted to restrain external criticism of the Government by ordering the closing of the coffee-houses, where men met to drink

the new beverage and to discuss politics or any other subject in which they took an interest. Besides buying off or silencing opposition, Danby sought to conciliate national feeling; in February 1674 he made peace with the United Provinces, obtaining their renewed recognition of the English right to St. Helena and the Hudson Valley; and in November 1677 he married Mary, eldest daughter of the Duke of York, to her cousin William of Orange (§ 491). Meanwhile Parliament was swayed between its desire to join the Dutch alliance in fighting France and a fear lest the military and naval forces, raised for such a war, should be turned to purposes of which it disapproved (§§ 405, 452); and Louis, fearing that Charles should be forced into war, was paying for long prorogations of Parliament. Knowledge of one of these undignified money transactions leaked out in 1678—after the European wars had been brought to a close by the *Peace of Nymwegen;* and Danby was impeached for treason by an infuriated House of Commons. To save his minister, Charles dissolved the eighteen-year-old Parliament in January 1679 (§ 452).

§ **466. The Panic of the Popish Plot, 1678–1680.**—The two years that followed the dissolution of the Long Parliament of the Restoration, were marked by the assembling of the three short parliaments which truthfully reflected the national disregard of foreign politics and intense alarm at the growth of "Popery." In the autumn of 1678 tales of a Popish plot began to be spread abroad by Titus Oates, Bedloe, Dangerfield, and other miscreants. The details of these stories were absurd enough—that Charles and James were to be murdered, and Roman Catholicism re-established by a French army—but the nation lost its head, and was fooled to the top of its bent. For two years any person who was suspected of adherence to, or even sympathy with, the Church of Rome, might be accused of plotting by any informer, with a good prospect of obtaining a verdict of guilty from juries and a death-sentence from the judges. The incidents which first frightened men into a panic were the unexplained murder of Sir Edmund Berry Godfrey, the London magistrate before whom Oates had given evidence of his bogus plot, and the discovery of compromising letters among the papers of Coleman, chaplain and secretary to the Duke of York. These things affected the masses even more violently than the revelation of Charles II.'s underhand dealings with France affected Parliament.

§ **467. Temple's Reorganization of the Privy Council,**

1679.—Charles II.'s third Parliament met in March 1679, and at once resumed the impeachment of Danby: sweeping aside as irrelevant his contention that he had acted by the King's order and had the King's written pardon, the Commons committed him to the Tower, where he remained without trial for some years. Parliament had not as yet repeated the endeavours of mediaeval parliaments and of Charles I.'s parliaments to assert explicitly a right to choose ministers, but it had thrice got rid of ministers of whom it disapproved (§§ 457, 464, 465); and to many persons such a power seemed an undue encroachment on the Prerogative. In order to secure continuous harmony between King and Parliament trial was now made of Sir William Temple's scheme for the reform of the Privy Council. That body was in future to consist of thirty members —half officials, half private members of Parliament; all the members were to be persons of wealth and standing; and no public act was to be done without consulting the whole body, and obtaining the consent of the majority. Here was a Council in which Parliament "might have cause to confide" (§ 405). But the Council was too unwieldy for administrative purposes: Charles soon began to consult only an inner ring, and he did not always consult even them.

§ **468. The Third Parliament and Habeas Corpus Act, 1679.**—Before Temple's scheme had quite broken down, the third Parliament had followed up its predecessor's *Parliamentary Test Act* of 1678—shutting out Roman Catholic peers from sitting in the Upper House—by taking into consideration an *Exclusion Bill* designed to prevent Charles II.'s "Papist" brother James from coming to the throne. Charles attempted to draw the Commons' attention from the Bill by giving assent to a Bill of Lord Shaftesbury's, the famous *Habeas Corpus Act*. This Act sought to stop various devices by which, since the reforms of 1628 and 1641 (§§ 387, 400), the Government had evaded or delayed the action of the *Habeas Corpus* writ: it provided pecuniary penalties for judges who refused to issue the writ at any time, and for jailers who did not render immediate obedience to the writ by producing the prisoner before the judge. The new Act did not introduce new principles, but it improved the legal mechanism for protecting the Liberty of the Subject in the matter of personal freedom (§§ 143, 144). As the concession did not block the *Exclusion Bill*, Charles dissolved Parliament after less than three busy months.

§ **469. Whigs and Tories, 1680.**—In the autumn of 1679 Charles issued writs for a new Parliament, but in the hope that the

popular ferment would settle down, delayed the meeting of this fourth Parliament for a year. Shaftesbury led an agitation, which took the form of petitions for a speedy assembling of Parliament; and those who disliked either the method, or the object, of putting this pressure on the King expressed their abhorrence of the *Petitioners* in loyal addresses, and were therefore called *Abhorrers*. These names disappeared with the question in hand: two nicknames they gave one another survived, were adopted as honourable party-labels, and in our own time have again passed into nicknames. The Petitioners were said to be no better than a set of sour-faced Lowland Covenanters—hence the name *Whigs:* the Abhorrers incurred what was meant to be the triple reproach of being likened to Irish Papist bog-trotters—hence the name *Tories*. The coinage of these party-names illustrates both the frequent reaction of affairs in the sister kingdoms on the course of affairs in England, and also the existing state of things therein. Ireland was naturally elate at the prospect of a Roman Catholic Restoration: Scotland was equally alarmed. In 1679 the Covenanters of the Clyde Valley had risen against oppression (§ 450); but after defeating their chief oppressor, John Graham of Claverhouse, at Drumclog, they had been defeated by Monmouth at Bothwell Brigg (June 1679). In the previous month Archbishop Sharpe had been murdered by a party of Fife Covenanters near St. Andrews. The Duke of York, who superseded Monmouth as the King's representative in Scotland, crushed out the rebellion with great cruelty (§ 484).

§ **470. The Fourth Parliament and the Exclusion Bill, 1680.**—Roughly speaking, the Tories represented the old Cavaliers, the Whigs, the old Roundhead party; and during the rest of the seventeenth century the latter favoured the limitation of the Prerogative by parliamentary law and action, the extension of trade, toleration for Protestant Nonconformists, and an anti-French foreign policy, while the Tories had for their cry, "Church and King!" When at last Charles's fourth Parliament came together in October 1680, the Whigs had a large majority in the Commons, and carried the *Exclusion Bill*. Its rejection in the Lords was secured by a remarkable man, who expressed his aloofness from the extremes of party politics by calling himself a "Trimmer"—George Savile, Marquess of Halifax. Charles told the Houses plainly that his habit of giving way to pressure could never be applied to the *Exclusion Bill;* the Commons thereupon declined to furnish supplies; and in January 1681 Charles dissolved Parliament.

§ 471. **The Fifth Parliament at Oxford, March 1681.**—Before the fifth Parliament met, the tide had turned, and Charles knew it. The popular sympathy with Thomas Howard, Viscount Stafford—great-grandson of the Duke of Norfolk executed in 1572 (§ 347)—at his execution in December 1680, showed that the panic fear of Popery had burned itself out. The Whigs had fallen apart in the choice of a substitute for James: the obvious person was his daughter Mary, a Protestant married to the champion of Protestantism (§ 465); but Shaftesbury pitched upon Monmouth, alleging him to be the legitimate son of Charles II. Moreover, the violence of the agitation was making civil war seem imminent, while the dangers of James's succession were entirely problematic: why not give the rightful heir a fair trial? Charles cleverly took advantage of these circumstances to summon his fifth Parliament to meet at Oxford—where the Whigs would not have the London populace at their back—and to make a moderate proposal, the rejection of which would put his opponents clearly in the wrong. He offered to give his consent to a Bill providing that if his brother came to the throne, the actual administration of affairs should be in the hands of his Protestant daughter. On the refusal of these terms, Charles dissolved Parliament after a session of only a week (March 21–28, 1681).

II. The Royalist Reaction, 1681–1685.

§ 472. **The Flight of Shaftesbury and Rye House Plot, 1682-3.**—Charles did not live to summon another Parliament: unlike his father he had a comfortable income without any extraordinary grants. Besides, Louis XIV.—alarmed at the prospect of a union of England and the United Provinces under a single sway (§ 515)—had promised him £200,000 a year for three years if he would only leave Parliament unsummoned for that period. Charles had won his brother's battle and the cause of hereditary succession: he now felt strong enough to strike back at his opponents. His first attack on Shaftesbury failed because the Grand Jury of Middlesex, being Whigs, were unable to find evidence sufficient to present him for trial for treasonable conspiracy; but at the end of 1682 he thought it safer to take refuge in Holland, where he died a few months later. After his flight some of the lesser Whig leaders formed a plot to kill Charles and James at Rye House, near Broxbourne, on their way back from a race-meeting at Newmarket in June 1683. The plot was discovered, and its actual designers escaped; but some of the more prominent Whig leaders—notably

Russell and Algernon Sidney—were accused of complicity and were executed. In these trials the law-courts, under judges like Scroggs and Jeffreys, turned against the Whigs the unfair judicial practices, the use of which the Whigs had lately encouraged against the victims of Oates and his crew. About the same time Monmouth was sent out of the country, and York—despite the *Test Act* of 1673 (§ 464)—was restored to his office of Lord High Admiral.

§ **473. Remodelling of the Corporations, 1682–4.**—Besides taking vengeance on the Whigs, Charles prudently availed himself of his hour of triumph to diminish their chances of success in future Parliaments. The Tories, like the Cavaliers, were strongest in the country: the Whigs were strongest in the towns (cf. §§ 406, 453). In most parliamentary boroughs at this time the elections were in the hands of the corporations: to secure a control over the corporations, therefore, was equivalent to securing a control over their parliamentary representatives. Accordingly, during the years 1682–4 judicial commissions were sent round the country which on various pretexts declared the existing charters of boroughs invalid, and left the Crown free to grant new ones, in which provision was made for securing a permanent Tory majority in the corporations. Though thus sure of a Parliament favourable to him, Charles allowed the triennial limit of intermission to pass without summoning a Parliament (§ 452).

§ **474. Death of Charles II., February 6, 1685.**—After the collapse of the Exclusion agitation, Charles's chief advisers were a group of young men known as "The Chits"—Laurence Hyde, Earl of Rochester, Clarendon's younger son; Robert Spencer, Earl of Sunderland, a clever but unprincipled politician; and Sidney Godolphin, a pliant and ingenious financier. All these were friendly with the Duchess of Portsmouth, whose business was to keep England from interfering with the quiet extension of France to the Rhine. After a troublous time, through which he had gone with the unruffled cheerfulness that caused men to call him "the Merry Monarch" and "Old Rowley," Charles had thus had a few peaceful years at the last. In February 1685 he had an apoplectic fit, and died after a few days' illness. Even on his death-bed he did not publicly proclaim his adhesion to the Roman Church; but before he died the Duchess of Portsmouth privately secured for him the ministrations of Father Huddleston, a Benedictine monk who had saved his life during his flight after the battle of Worcester (§ 428).

CHAPTER XXXIV.

JAMES II., 1685–1688.

A. Personal History.—Born in St. James's Palace, October 15, 1633; created Duke of York, January 1643; married (*a*) Anne Hyde (who died March 31, 1671), September 3, 1660, (*b*) Mary Beatrice d'Este of Modena September 30, 1673; succeeded his brother, February 6, 1685; crowned, April 23, 1685; "deserted" his English kingdom, December 23, 1688; declared by an English Parliamentary Convention to have "abdicated," February 13, 1689; died at St. Germain, September 16, 1701: buried at St. Germain. For family connections, see Table, p. 280.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Turkey.	Elsewhere.
Innocent XI. (1676–1689)	Leopold I. (1658–1705)	Louis XIV. (1643–1715)	Charles II. (1665–1700)	Muhammad IV. (1648–1687)	Frederick William, *Brandenburg* (1640–1688)

C. Topics of the Reign.

(i) **International**: *relations with*—
(1) France: §§ 480, 483, 491, 493.
(2) United Netherlands: §§ 478, 483, 487, 490–493.

(ii) **Constitutional**:
(*b*) *Non-English*—
(1) Scotland: §§ 478, 484.
(2) Ireland: § 485.

(ii) **Constitutional**: (*a*) *English*—
(1) Ministers: §§ 476, 479, 483, 494.
(2) Parliament: §§ 477, 480, 487, 494, 495.
(3) Resistance to Authority: §§ 477–479, 483, 489.
(4) Penal Laws: §§ 475, 486, 488, 495.
(5) Removal of Religious Tests: §§ 475, 480, 481, 482, 495.
(6) The Royal Succession: §§ 477, 490, 494, 495.
(7) Colonies: §§ 479, 486.

I. The Appeal to the Established Church, 1685–1686.

§ 475. James II.'s Early Words and Deeds, 1685.—In the Privy Council held immediately after the death of Charles II., James

pledged himself to "preserve the government in both Church and State as it *is now by law established;*" he would "maintain the Church, which he knew to be loyal, and the laws, which made him as great a King as he wished to be; he would neither relinquish his own rights, nor invade those of his subjects." His words were taken to mean that he had learnt the lesson of the Exclusion Struggle (§§ 468–471); that, while going his own way in the critical matter of religion, he would allow his subjects to go their way. His speech was published, and was generally accepted as both trustworthy and satisfactory: "we have the word of a King—and of a King who was never worse than his word."

§ **476. James's Ministers, 1685.**—James II. retained "the Chits" and most of his brother's ministers, but their relative influence was altered. Rochester was promoted to be Lord Treasurer: his elder brother Edward, Earl of Clarendon, replaced the aged Marquess of Ormonde as Lord-Lieutenant of Ireland. Sunderland remained Secretary of State. Godolphin was appointed Chamberlain to the Queen. Halifax lost ground: his services in securing the rejection of the *Exclusion Bill* in 1680 weighed less with James than his habitual independence and openmindedness; he was promoted to the merely dignified position of Lord President of the Council—a process which he himself described as "being kicked up-stairs." How far these men were prepared to go in order to keep in favour with the King was revealed by their attitude during the services according to the Roman use in Passion Week 1685: Sunderland and Godolphin "felt no scruple about bowing officially in the House of Rimmon;" Ormonde and Halifax remained in an antechamber; Rochester obtained leave to spend holy-days out of town.

§ **477. First Session of James II.'s Only Parliament, May–July 1685.**—In the middle of May, James met his first and only Parliament. Thanks partly to the prevalent confidence in the King, partly to the recent Tory gerrymandering of the boroughs (§ 473), its loyalty beat all records in Stuart annals: James himself allowed that "there was not more than forty members but such as he wished for." It would listen to no grumblings about the unauthorized levying of the customs after Charles II.'s death (§ 447), to no protest against the recent interference with the corporations, to no petitions that the penal laws might be strictly enforced. It granted for life the same taxes which had been granted to Charles II., and it added thereunto for a term of years further taxes on tobacco, sugar, and wines, which were estimated to bring in an additional £500,000 a

year. James thus had an annual revenue of nearly two millions, one quarter of which was hereditary—*i. e.* it was derived from the Crown lands, or from the excise monies for which the feudal dues had been commuted (§ 447). Parliament also gratified the King by extending the law of treason to cover attempts to change the descent of the crown.

§ **478. Rebellions of Argyll and Monmouth, May–July 1685.**—Such "treason" was in active progress while Parliament was still in session. The Whig exiles—turned out of the United Netherlands by Stadholder William on James II.'s accession—gathered in Brussels, and there resolved to unseat the man whom they had failed to exclude beforehand. In May, Argyll made unsuccessful attempts to raise his fellow-clansmen, the Campbells of the Western Highlands, and his fellow-religionists, the Covenanters of the Western Lowlands; and at the end of June he met a traitor's death at Edinburgh, as his father had done before him (§ 450). Rumbold, the principal author of the Rye House Plot (§ 472), shared his fortunes and his fate. Meanwhile Monmouth had landed at Lyme Regis in Dorset on June 11, and issued a manifesto demanding annual parliaments, a reformed judiciary, and toleration for Protestant Nonconformists (cf. § 507). Nine days later he assumed the title of King at Taunton. After failing in an advance on Bristol, he drew back to Bridgewater, and thence made a night march to surprise James II.'s army on the half-drained marshes of Sedgemoor. Monmouth's troops were raw country lads, brave, but deficient in both arms and discipline; he had no cavalry and artillery; the surprise failed; and the royal troops, who were professional soldiers led by professional soldiers like Feversham and Churchill, easily cut their assailants to pieces. The fight at Sedgemoor on July 6, 1685, was the last worthy of the name of battle fought on English soil. Monmouth was captured in disguise a few days later, and despite his tearful appeals for mercy, was executed in accordance with the Bill of Attainder which Parliament had passed in anticipation of his defeat.

§ **479. Jeffreys' "Bloody Assize," August–September 1685.**—These armed attempts to get rid of James II. were punished yet more severely than the constitutional agitation of 1679–81 (§§ 472, 473). Immediately after the battle of Sedgemoor, Colonel Kirke—who had learnt the arts of barbarity while in charge of the garrison at Tangier in Barbary (§ 454)—pursued the fugitives, and put to death in summary fashion all whom he could lay hands on. This

military pursuit of the actual combatants was followed by a judicial pursuit of all abettors in the late rebellion. In the autumn George, Lord Jeffreys, Chief Justice of the King's Bench, went on the Western circuit; and in the course of his "Bloody Assize" he sentenced three hundred and twenty persons to be hanged, and eight hundred and forty-one to be transported to the West Indies. Jeffreys made no allowance for youth or sex, and he was not exacting in his demands for proof of complicity; but his zeal was rewarded by his elevation to the office of Lord Chancellor. About the same time Halifax was dismissed from office for suggesting that "mercy should season justice," and for protesting against autocratic meddling with the constitutional liberties of the colonies in New England.

§ **480. Second Session of Parliament, November 1685.**— In November Parliament met for its second session. James pointed out that the *Habeas Corpus Act* seriously hampered the Government in the work of maintaining order (§ 468), and that the success of the regular troops in putting down the late rebellion showed the wisdom of increasing the standing-army; and when Parliament declined to grant the necessary supplies unless the *Test Act* were strictly enforced, James angrily prorogued Parliament after a nine days' session. On the whole the hearty welcome given to James as King, and his easy triumph over Monmouth did him more harm than good: his success infatuated him so much as to make him think *possible* what his religion taught him to be *desirable*, and what his notion of the Prerogative caused him to regard as *legal*. Across the Channel James's cousin and ally was setting an example which at once encouraged James and dismayed his subjects: in October 1685 Louis XIV. set at naught his grandfather's promise of toleration to the Huguenots by revoking the *Edict of Nantes* (§ 357). The French Protestant exiles who poured into England as a result of this revocation enriched the land of their adoption not only by their industrial skill, but also by warning their hosts of the consequences of over-confidence in "the word of a King" (§ 475).

§ **481. The Dispensing Power and Hales' Case, June 1686.** —In order to effect the King's purposes the existing laws must be either altered or evaded; as Parliament would not join him in altering the laws, James was driven to adopt the alternative course of evasion; and for aid in the method of evasion James, like his father and brother, appealed to the Bench of Judges. Among the discretionary authorities included in the Royal Prerogative were the powers of modifying the actual application of the law known to

Stuart lawyers as the Dispensing and Suspending Powers (§§ 486, 488, 495). The former was an extension of the recognized royal prerogative of pardoning a person convicted of the breach of an existing law so as to include giving leave beforehand to a person to disobey a law. For instance, Henry VIII. had followed a common practice in licensing Wolsey to act as Papal Legate, despite the *Statute of Praemunire* (§ 292). James followed the same practice in allowing persons to "dispense with" the statutory declarations imposed on the holders of military and civil offices under the Crown. In June 1686 the Court of King's Bench decided, in the test case of Sir Edward Hales, "that it was part of the King's Prerogative to dispense with the penal laws in particular cases." On the strength of this decision James filled his army with Roman Catholic officers; "for it was not right," he said, "that subjects capable of serving well should be prevented from doing so by reason of their creed."

§ 482. **The Court of Ecclesiastical Commission, July 1686.** —The Dispensing Power thus declared to be legal by the constitutional exponents of the law was of course applicable to other statutes besides the *Test Act*. In July 1686 James applied it to the *Act of Uniformity* by appointing Gerald Massey, though a Roman Catholic, to be Dean of Christ Church, Oxford, and by permitting Obadiah Walker, despite his conversion to Roman Catholicism, to continue in office as Master of University College, Oxford. As such offices were semi-ecclesiastical in nature, these acts were naturally regarded as breaches of the King's promise "to maintain the Church as by law established" (§ 475). In July 1686 James set up a Court of Ecclesiastical Commission somewhat like that abolished in 1641 (§ 400): it differed chiefly in having no jurisdiction over the laity. All its members were Protestants; but the member whose presence was necessary to form a quorum, Lord Chancellor Jeffreys, was known to regard obedience to the King's will as paramount. The new Court at once suspended Henry Compton, Bishop of London, for refusing to suspend a clergyman who had denounced the Papacy.

II. The Appeal to the Nonconformists, 1687–1688.

§ 483. **Fall of the Hydes, February 1687.**—The established Church of England had officially asserted its belief that "resistance to the King is in all cases unlawful;" and James, relying on this attitude, hoped gradually to bridge over the gulf between Anglicanism and Rome. As he found that the advocates of non-resistance were in fact quietly resisting his changes, James resolved to base

his work for the future on the *interests* of the Nonconformists rather than on the *principles* of the Anglicans. This change of policy was marked by the dismissal of the Hydes in February 1687: henceforth his chief advisers were drawn from the extreme Court party, who were either Roman Catholics or professed their willingness to be converted. The chief of these were Sunderland, Father Petre, a Jesuit, and Richard Talbot, Earl of Tyrconnel. Having at length obtained ministers in whom he believed he could place implicit confidence, being on friendly terms with his cousin, Louis of France, and William of Orange, his son-in-law, and controlling London by an army of 13,000 posted at Hounslow, James II. felt himself strong enough to do whatever he would.

§ **484. Scottish Affairs, 1679–1687.**—Early in 1687 also a similar change from a tentative to a decisive policy was made in the sister-kingdoms. Ever since their defeat at Bothwell Brigg (§ 469), the Scottish Presbyterians had been passing through a severe persecution known as "the Killing Time." James had himself superintended the work of repression for some time, but on his accession to the throne he took up the same attitude as in England. He first endeavoured to induce the Scottish Estates to repeal the various civil and religious disabilities of Nonconformists: failing in that, he put forth a Proclamation early in 1687, whereby, "by his sovereign authority, prerogative royal, and absolute power, which all his subjects were to obey without reserve," he suspended all laws against Roman Catholics and moderate Presbyterians. Naturally enough he did not extend his toleration to the extreme Covenanters who accepted the statement, made in the *Sanquhar Declaration* (June 1680) of their leader Richard Cameron, that the Stuarts had forfeited the crown by their "perjury and breach of the Covenant."

§ **485. Tyrconnel in Ireland, 1687–8.**—James II.'s toleration of Roman Catholics was no more popular in Scotland than in England; but in Ireland that policy was hailed by the majority with delight. Early in 1687 Tyrconnel succeeded Clarendon as Lord-Lieutenant, and set himself to complete the work of filling military and civil offices with Roman Catholics. Like his father (§ 392), James hoped to create in Ireland a standing-army which might be used if necessary to keep the British kingdoms in order; but Tyrconnel, unlike Strafford, was at heart an Irish nationalist, and hoped to use his power in the interest, not of the English Crown, but of the independence of his own country (§§ 412, 427).

§ **486. First Declaration of Indulgence, April 4, 1687.**—In England the fall of the Hydes was followed in April by the issue of a *Declaration of Indulgence* suspending the operation of all laws which imposed civil or religious disabilities on Nonconformists (§ 481). As contrasted with James's previous steps, this was an advance from giving leave to individuals to disobey certain laws to the simpler process of allowing a general disobedience to those laws: as contrasted with Charles II.'s *Declaration of Indulgence*, it did not limit itself to permitting liberty of worship, but sought to place Nonconformists on a footing of complete equality with members of the Established Church. Some Dissenters—notably William Penn, the Quaker who in 1682 had founded the colony of Pennsylvania on the broadest basis of religious toleration—accepted the relief offered with gladness; but most of them regarded it as illegal in method and suspicious in its ultimate object (cf. §§ 463, 464).

§ **487. The Government and the Nation, 1687.**—Certainly many acts of the Government about this time suggested that its specious policy of toleration simply meant the substitution of Roman Catholic for Protestant Episcopalian ascendancy. In the spring of 1687 the Ecclesiastical Commission punished the Vice-Chancellor of Cambridge University for refusing to confer the M.A. degree on a Benedictine monk commended by the King, and ejected all the Fellows of Magdalen College, Oxford, for refusing to accept either of the King's Roman Catholic nominees—Parker, or Giffard—to be their President. In July 1687 James publicly received at Court a Papal Nuncio, and, dissolving Parliament, set about the task of remodelling the corporations in order to secure a Parliament which would be likely to give statutory sanction to his *Declaration of Indulgence* (§ 473). The attempt failed; and some of the staunchest Tories in England began to discuss with William of Orange what was to be done in case James continued his present course of action.

§ **488. James's Second Declaration of Indulgence, April 22, 1688.**—In April 1688 James reissued his *Indulgence* with orders that it should be read aloud in the churches on the Sundays of the month of May. It was as much the practice then for the clergy to read royal proclamations from the pulpit, as it is now-a-days the practice to post State documents on the notice-boards of churches: nevertheless, there was in this case a widespread disobedience. In the four London churches where the parson, like the Vicar of Bray in the old song, "read the Declaration," the congregation protested by the simple method of walking out of church.

§ **489. Trial of the Seven Bishops, June 1688.**—The "passive" disobedience of the clergy was approved by the Episcopate. Early in May, William Sancroft, the Primate, and six other bishops drew up a petition to the King praying to be excused from reading in God's house a manifestly illegal document. The King called their petition "a standard of rebellion," and ordered the prosecution of the Bishops for seditious libel. They were arrested on June 8, and the trial commenced in the Court of King's Bench on June 29. The prosecution had to prove, first, that the document had been "published" by the Bishops, and secondly, that its contents were seditious. The fact of publication was proved by Sunderland; on the second point the prosecution insisted that to censure the Government was equivalent to rebellion, while Somers and his fellow-counsel for the Bishops maintained (*a*) that subjects had a right to petition the King, and (*b*) that the particular thing against which the Bishops had petitioned—the exercise of the Suspending Power—was illegal. After a long debate the jury acquitted the Bishops; and the verdict was received with rapture, not only by the citizens of London, but by the army which James had posted at Hounslow to overawe them.

III. The Invasion of England, 1688–1689.

§ **490. The Invitation of William of Orange, June 30, 1688.**—The English nation had borne James II.'s disregard of its laws and prejudices with patience so long as it could count with confidence on the succession of his Protestant daughter Mary. But two days after the arrest of the Bishops the birth of a son and heir to James, who was certain to bring up his successor as a Roman Catholic, crushed that hope, and made it seem necessary to take steps to change the course of affairs at once. Men salved their consciences for plotting against their lawful monarch by catching at the rumour that the infant was suppositious: it was almost universally regarded at the time as a baby smuggled into the palace in a warming-pan. The popularity of the Seven Bishops showed clearly the unpopularity of the King; but the failure of Argyll and Monmouth had shown how little could be done by unorganized crowds against a body of regular troops such as James had at his disposal (§ 478). Accordingly, on June 30, 1688, a letter, signed by seven prominent persons representative of all parties, was despatched to William of Orange, asking him to come over to England with an army to protect the Protestant liberties of England.

§ **491. International Position of William of Orange, 1688.**—William was interested in this appeal as a husband, as a Protestant, as a Dutchman, and as a European statesman; and in each capacity he had enormous difficulties to overcome before he could respond to the appeal. But in all capacities he was desirous of wresting England from its present connection with France—which James had felt bound to continue—and joining it to the great *League of Augsburg* which he had built up in 1686 to resist the aggressions of Louis XIV. (§ 362). William displayed great ingenuity in representing his intended expedition as a religious crusade to the Protestant members of the League, and as a purely political enterprise to his Roman Catholic allies. Ultimately William was relieved of his chief difficulty—the danger of leaving the Netherlands defenceless—by a great strategic blunder of Louis XIV. himself. When Louis attacked the League by marching all his available troops to the Upper Rhine, William was able to use some of the forces of the League in a counter-attack by invading England.

§ **492. William's March from Torbay to London, November–December 1688.**—William landed at Torbay in Devonshire on November 5, the anniversary of the capture of Guy Fawkes (§ 373). The recent memory of Monmouth's failure in the West of England made men hesitate to join him there (§ 478); but on the other hand Danby and Devonshire raised the North in his favour, and James's troops were too much discouraged by desertions to enable him to resist William's advance towards London. Alarmed by his growing isolation, the King—who had already tried to conciliate public feeling by hasty concessions to the classes whom he had offended—sent commissioners to Hungerford to enter into negotiations with the invader and agreed to call a Parliament. Both armies were to remain at equal distances from Westminster during the session, in order to secure its freedom of action.

§ **493. Flight of James, December 1688.**—In his heart James was resolved not to yield. He thought that if he withdrew for a while his opponents would fall out among themselves, and that he would then be able to return in triumph (cf. §§ 420–424). On December 11, therefore, he left London for France—whither he had already despatched his wife and child; but he was captured and brought back. During his absence riots broke out in the capital, and William's troops came in to restore order. William persuaded the King to retire for safety to Rochester; and thence, on December 23, James made good his escape to France.

§ **494. The Convention, January 1689.**—By the advice of the Lords and of the City of London, Prince William now followed Monk's precedent of 1660 in summoning "a free Parliament" (§ 441) —called, like the assembly which Monk had convened, a "Convention." Its principal business was to decide the future government of the country. The four main courses open to that body were the two Tory plans—either to recall James with or without conditions, or, while retaining a nominal allegiance to James, to transfer his actual authority to a Regent—and the two Whig plans—either to assume that Mary had succeeded her father, as though he were dead and his son were an impostor, or, treating the throne as empty, to elect a person to occupy it. Ultimately the Lords adopted this last solution by accepting the Commons' Resolution :—

"That King James II. having endeavoured to subvert the constitution of this kingdom, by breaking the original contract between King and people, and by the advice of Jesuits and other wicked persons having violated the fundamental laws, and having withdrawn himself out of the kingdom, has abdicated the government; and that the throne is thereby vacant."

§ **495. The Declaration of Right, February 13, 1689.**—This "lumbering Resolution" embodied that fantastic theory of the Social Compact which the Whigs had adopted in opposition to that of the Divine Right of Kings (§ 365). Having thus settled its basis of action, and having further voted "that it was inconsistent with the national safety to be ruled by a Popish Prince" (cf. § 508), the Convention offered the crown jointly to William and Mary. On February 13, 1689, the Prince and Princess formally accepted the crown on the conditions annexed thereto in the *Declaration of Right*:—

(1) That the pretended Suspending Power and the pretended Dispensing Power, "as it hath been assumed and exercised of late," are illegal.
(2) That such Courts as the Court of High Commission are illegal and pernicious.
(3) That levying of money by pretence of prerogative, without grant of Parliament, for longer time than the same is granted, is illegal.
(4) That it is the right of subjects to petition the King.
(5) That the raising or keeping a standing-army within the kingdom, in time of peace, unless it be with consent of Parliament, is illegal.
(6) That elections of Parliaments ought to be free.
(7) That the freedom of speech or debates in Parliament ought not to be impeached or questioned in any court or place out of Parliament.
(8) That for the redress of all grievances, and for the amending, strengthening, and preserving of the laws, Parliaments ought to be held frequently.

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BOOK IX.

AFTER THE REVOLUTION, 1688–1702.

§ **496. Incompleteness of the Revolution.**—The acceptance of the *Declaration of Right* by William and Mary forms a convenient stopping- or starting-place for the historian of *England;* but it must be remembered that in February 1689 that document did not bear the appearance of finality which it has for us who know the sequel, and that it was a purely English affair which had no direct constitutional concern with the other kingdoms in the British Isles (§§ 510–514).

§ **497. International Aspects of the Revolution.**—The Convention of 1689, unlike the Rump of 1649 (§ 425), had the majority of the English nation at its back; but on the other hand the ejected Stuarts had a powerful and interested advocate in the person of the French king. Therefore the English Revolution of 1689 was an international as well as a constitutional revolution (§§ 515–525): it was the first stage in a European war which may be called "The War of the English Succession," which itself was the first stage in our Second "Hundred Years' War" with France (1688–1815). Naturally this war was on a much greater scale than the First "Hundred Years' War" (Book V.): it was a world-wide struggle for Colonies and Commerce; and at certain portions of its course nearly all the states in Europe were directly or indirectly concerned in it.

§ **498. Constitutional Aspects of the Revolution.**—The constitutional relation of the events of 1689 to the previous history of England has been thus expressed: "the Revolution completed the work that the Long Parliament had more than half done, but which in some ways the Restoration bade fair to undo." That work consisted mainly in the establishment of some constitutional mechanism and rules that should keep the general methods and objects of the Government in harmony—or, at least, not seriously out of harmony—with the wish of Parliament, and so presumably of the nation at large, so far as it ever had any conscious general

will. Thus, if we concern ourselves with England alone, and pay no attention to the sister kingdoms, which were also affected by "the Revolution," we can see that Parliament made a great stride forward in consequence of the events of 1688 (cf. §§ 363–367, 442).

§ **499. Effects on the English Church.**—In 1689, Parliament made good the assertion—over which it had come to grief in 1641 (§ 402)—that the King had no exclusive legislative or irresponsible administrative authority over the Church: in the *Declaration of Right* it forced William and Mary to recognize as illegal the creation of a Court of High Commission; and by the *Toleration Act* of May 1689 it gave to *Protestant* Nonconformists limited rights of breaking the penal laws, which Charles II. and James II. had in vain attempted by Prerogative to abolish for *all classes* of Nonconformists (§§ 463, 486-488, 507). Parliament also succeeded in extending the principle of a religious test from the high offices of State to the highest—the Kingship: by the *Bill of Rights*, —which was the *Declaration of Right* thrown into statute form in October 1689—no Roman Catholic could be King or Queen of England (§§ 495, 508).

§ **500. Changes in the State Constitution:** (i) **At the Puritan Revolution.**—In 1641 the Long Parliament of the Puritan Revolution swept away the royal claims to raise taxes by Prerogative, and to execute justice by means of courts which lay without the domain of the Common Law (§ 400); it had successfully asserted the right of Parliament to meet at least once in three years (§ 400); it had even sought to keep Parliament in touch with the nation by limiting its duration to three years (a condition which this Parliament itself set the example of evading); and it had attempted to obtain a voice in the King's selection of ministers, and to get control of the militia (§ 405).

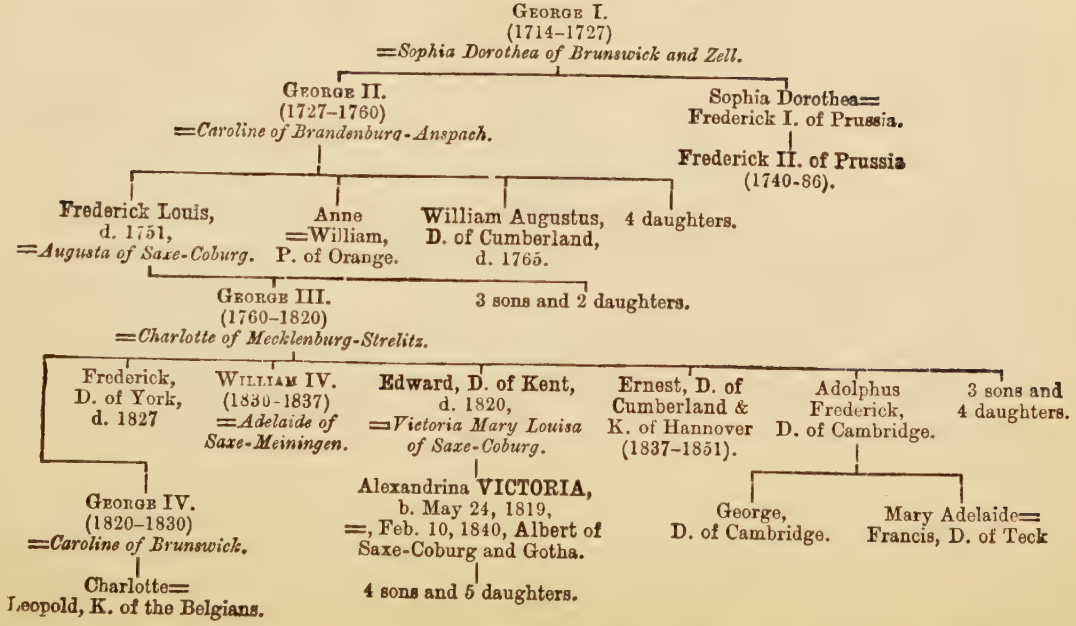
§ **501.** (ii) **At the Restoration.**—The last four things, considered as claims or as rights, were to a large extent lost at the Restoration (§§ 442–443); yet, as a matter of fact, during the years 1660–1681 Parliament did as a rule meet once in three years (§ 473); it could get rid of a minister whom it seriously disliked (§ 467); and it was able to make the maintenance of the new standing army that had sprung up during the Civil Wars a difficult matter (§§ 448, 465).

§ **502.** (iii) **At the Protestant Revolution.**—In 1689 the Parliamentary Convention which called William and Mary to the throne compelled them to acknowledge the illegality of keeping

a standing army in time of peace save by consent of Parliament, the illegality of the Dispensing and the Suspending Powers, the necessity of frequent Parliaments, and the right of public petition (§ 495). These abstract propositions were not left unsupported. The starting of the practice of granting only for short periods money-supplies and the powers requisite for the maintenance of military discipline made frequent Parliaments necessary (§§ 505, 506); and when Parliament met constantly—with such powers, not so much of governing as of obstructing government, if those in authority went too much their own way—the King quickly found that he must choose, as his ministers, men who were not unacceptable to Parliament (§ 521). Gradually during the eighteenth century there came into being those complicated methods of keeping harmony between the ruler and the ruled which we know now-a-days as "Party-Government."

§ **503. (iv) Relations of Parliament to the Nation.**—Moreover, for the first few years after the Revolution, Parliament displayed little of that objection to outside criticism or influence which had characterized the Long Parliament, and which was to characterize Parliament under the Whig Oligarchy. In 1694 it again limited its own duration to three years (§ 519); and in the following year it allowed the restrictions upon the Liberty of the Press to lapse by omitting to renew the *Licensing Act* (§ 522). Broadly speaking, the effect of the Revolution was to diminish the interference of the Government with the liberty of the individual.

The House of Brunswick or Hannover.



Note.—The years within brackets give regnal years; important names in dark type; English Sovereigns in capitals.

CHAPTER XXXV.

WILLIAM AND MARY, 1689–1694.

A. Personal History.—William and Mary were declared joint rulers of England, France, and Ireland by the English Convention on February 13, 1689; they were declared joint rulers of Scotland by the Scottish Convention on May 11, 1689. Mary was the eldest daughter of James, Duke of York—afterwards James II.—by his first wife, Anne Hyde; born, April 30, 1662; married her cousin, William of Orange, November 4, 1677; died at Kensington, December 28, 1694; buried at Westminster. For William III.'s personal history, see next chapter: for his family connections with the Stuarts, see Table, p. 280.

B. Contemporary Rulers.

Papacy.	Empire.	France.	Spain.	Poland.	Russia.
Alexander VIII. (1689) Innocent XII. (1691)	Leopold I. (1658–1705)	Louis XIV. (1643–1715)	Charles II. (1665–1700) (*Last of the* Spanish *Hapsburgs*)	John Sobieski (1677–1697)	Peter the Great (1689–1725)

C. Topics of the Reign.

(i) **International**: *relations with*—
- (1) France: §§ 504, 513–517.
- (2) The Netherlands: §§ 513, 515.

(ii) **Constitutional**: (*b*) *Non-English*—
- (1) Scotland: §§ 510, 511.
- (2) Ireland: §§ 512–514.

(ii) **Constitutional**: (*a*) *English*—
- (1) Ministers: §§ 504, 518.
- (2) Church: § 507.
- (3) **Army**: § 506.
- (4) Finance: §§ 505, 518.
- (5) Parliament: §§ 505–509, 518, 519.
- (6) Royal Succession: §§ 508, 519.

I. The Revolution Settlement in the Three Kingdoms, 1689–1691.

§ 504. William's Ministers and Party Relationships, 1689.—William took little interest in English domestic politics: what he wanted was to have England, or rather all the three British kingdoms, solid at his back in his struggle against the

predominance of France in Europe. In order to gain this support he chose his ministers from all parties—more especially picking out those party-leaders who had actively assisted him to the throne: Danby, who speedily became Duke of Leeds, was President of the Council; Shrewsbury, Secretary of State; Edward Russell and Arthur Herbert at the Admiralty. These four had all taken part in the invitation sent him after the acquittal of the Seven Bishops (§§ 489, 490). The other leading ministers were the three men who had been employed in the Hungerford negotiations between James and William (§ 492)—Halifax, Privy Seal; Nottingham, the Tory colleague of the Whig Shrewsbury in the Secretariate of State; and Godolphin, at the Treasury. After the Revolution the Secretaryships of State became more and more important, while some of the older offices were weakened in power. Partly to diminish the power of individuals, partly to have more offices for distribution amongst the supporters of the Government, the practice of assigning the work of the great officials, the Lord Treasurer and the Lord High Admiral, to a Committee or Board—the Treasury and Admiralty respectively—now became more and more common. At the same time James II.'s bench of judges was dismissed, and replaced by one of a better stamp.

§ **505. The Work of the Convention Parliament, February 1689-January 1690: (i) Finance.**—The Convention, which had declared William and Mary to be King and Queen, was itself declared to be a lawful Parliament by its own nominees. Its main business was to consolidate and give practical application to the general principles laid down in the *Declaration of Right*. In finance it made several notable changes: besides voting more than half a million for the Navy, and a similar sum to recoup the Dutch for their expenses in aiding the Revolution, this Parliament began to draw a distinction between the ordinary and the extra-ordinary expenses of the Crown, and, while making a life-grant for the former (about £700,000 a year, in addition to the hereditary revenue of £500,000), resolved to supply the latter by special grants for short periods only. In this session William promised facilities for parliamentary *audit* of accounts, and in a few years' time the practice of parliamentary *appropriation* of supplies came into regular and systematic use (§ 457). Broadly speaking, the Protestant Revolution resulted in establishing parliamentary control over the *expenditure*, as the Puritan Revolution had resulted in establishing parliamentary control over the *revenue*, of the Crown (§§ 364, 400).

§ **506.** (ii) **The Army.**—The Parliament was able to hit upon a device which met both the felt needs of the time for a regular army and also the strong and anxious prejudice against such an army. The national *well-being* seemed in danger if the Crown permanently possessed those exceptional powers of restraining the liberty of citizens which are necessary to maintain the discipline of a standing army ; but, on the other hand, the very *being* of the nation was in danger if England lacked trained forces similar to those of her Continental neighbours (§§ 443, 495). Accordingly, in March 1689 a *Mutiny Act* authorized the Government, for six months only, to punish by martial law all manner of insubordination or desertion by soldiers in the pay of the Crown. The Act was renewed for short periods, and its principle is still maintained in the modern *Annual Army Act:* thus the legal power of the Government over the Army depends on the continuance of the confidence of the Parliament.

§ **507.** (iii) **The Church.**—Besides providing for the financial and military necessities of the new Government, Parliament endeavoured to protect it from internal treachery by requiring all office-holders in Church and in State to take new Oaths of Allegiance and Supremacy. Some three hundred of the Anglican clergy, including Sancroft and most of the Seven Bishops (§ 489), held to their doctrine of Non-Resistance and declined to take the new oaths: they were therefore ejected from their offices and, with their handful of followers, became known as the Non-Jurors; and this body maintained its existence and independence, claiming to be "the true Church of England," for more than a century. At the same time fresh penal laws were enacted against Popish Recusants, while the Protestant Nonconformists were rewarded for their support of the Revolution with the *Toleration Act* of May 1689. By this Act all English Nonconformists—save Roman Catholics and Unitarians—were permitted to assemble for public worship on condition that the meeting-houses were registered, that the meetings were held with open doors (cf. § 453), and that the ministers took the Oaths of Allegiance and Supremacy. This measure of relief was much less extensive than that which William and Mary followed James II. in advocating (§§ 486, 488): it applied only to *Dissenters—i. e.* Nonconformists who were not only Protestant but also Trinitarian ; and it did not extend to the removal of *civil* disabilities. But on the other hand it rested on statutory sanction, not on a strained use of the Prerogative, and it did not run counter to the national

prejudices of the day. The *Toleration Act* is important as being the death and burial of two propositions heretofore taken for granted by the English Law:—

(*a*) That the English Church and the English Nation are co-extensive in membership—barely distinguishable aspects of the same thing.

(*b*) That it is the duty of the Christian State to train all its members in *the one true* (whatever it be) form of Christian Truth.

§ **508. The Bill of Rights, October 1689.**—Parliament was prorogued in August and met for its second session in October. The principal achievement of this session was the turning of the *Declaration of Right* into statutory form as the *Bill of Rights* (§ 495). There were two important alterations: the Dispensing Power was entirely abolished; and the English Crown was declared incapable of descending to, or remaining in, any person who became a Papist or married a Papist. The Whigs, having thus at last carried their *Exclusion Bill* in a generalized shape (§§ 468–471), endeavoured to clip the wings of their Tory opponents by inflicting permanent disabilities on all persons who had connived at the remodelling of the corporations during the last two reigns (§§ 473, 487). William, who wanted to heal not to perpetuate party rancour, dissolved his factious Parliament in January 1690.

§ **509. The Act of Grace, May 1690.**—The second Parliament, which met two months later, had a Tory majority. It threw out a *Bill of Abjuration* requiring the office-holder to abjure King James (cf. § 532), and gladly gave its consent to William's *Act of Grace*, whereby indemnity was given to all political offenders except the surviving Regicides and thirty others (§ 445). The King was thus, after fifteen months' parliamentary strife in England, able to give personal attention to pressing matters elsewhere (§§ 510–515).

§ **510. The Scots Revolution, 1689–1690.**—When James II. withdrew his troops from Scotland to oppose the Prince of Orange, the Covenanters rose against their oppressors, and there ensued the riots known as "the Rabbling of the [Episcopalian] Clergy." By the advice of some of the Scots nobility who were with him, William sent three Scottish regiments which had been serving under him on the Continent to restore order, and also summoned a Convention to meet at Edinburgh. When this body seemed likely to follow the lead of the English Convention in substituting William and Mary for James, many of the partisans of James—now called *Jacobites*

from *Jacobus*, the Latin form of his name—washed their hands of the Convention and appealed to arms under the leadership of Claverhouse, whom James had created Viscount Dundee (§ 469). In their absence Convention drew up a *Claim of Right*, declaring that James had "forfeited" the Scots crown, and offering it to William and Mary. They accepted the offer in May 1689: the death of Dundee, in a fight in the Pass of Killiecrankie on July 27, practically ended the armed opposition of the Highland clans; and in October 1690 William and Mary secured themselves in possession by giving their consent to an Act of the General Assembly re-establishing Presbyterianism in the Scots Kirk (§§ 395, 450). The usual precautionary measures were passed against Scottish Nonconformists, both Roman Catholics and Protestant Episcopalians of the Anglican school; but on the whole the Revolution church-settlement in Scotland was temperate. William thus expressed his own views in a message to the General Assembly:—

"We could never be of the mind that violence was suited to the advancing of true religion; nor do we intend that our authority shall ever be a tool to the irregular passions of any party. Moderation is what religion requires; neighbouring churches expect it from you; and we recommend it to you."

§ 511. **The Massacre of Glencoe, February 1692.**—It was easier to "intend" than to attain such moderation. The acts of the Convention and of the General Assembly had comparatively little interest for the Highlands, where the clans still lived in patriarchal style under their chiefs and supported themselves largely by cattle-stealing. Nor did the Highlanders take kindly to a Revolution which restored to power the hated clan of Campbell (cf. § 416). But after the dispersion of their forces and the establishment of Fort William in the heart of the Highlands, most of the chieftains obeyed the order, rendered attractive by gifts of money, to take the Oath of Allegiance before December 31, 1691. Ian Macdonald of Glencoe, near Loch Linnhe, accidentally failed to comply with these conditions; and William's ministers, not knowing that he had made his submission after the time had expired, resolved to make him an example. In the early morning of February 13, 1692, a detachment of troops, mainly belonging to the Campbell connection, treacherously rose against the chief of his clan, whose hospitality they had been enjoying for some days, and successfully carried out William's order "to extirpate that sect of thieves."

§ 512. **Third English Conquest of Ireland: (i) Siege of Derry, 1689.**—While Scotland obtained a religious settlement agreeable to the majority of its inhabitants as the reward for accepting the change of dynasty, Ireland took a different course and received different treatment (§ 366). James II.'s policy had suited the religious feelings of the majority of the Irish nation (§ 485); and the bulk of that nation remained true to his cause after it had failed in the sister kingdoms. In March 1689 James landed at Kinsale and at once held a Parliament in Dublin which, representing the opinion of the Roman Catholic majority, repealed the Restoration *Acts of Settlement* (§ 451), and attainted a large number of Protestants. Meanwhile the Protestant inhabitants of Ulster (§ 392) took refuge in the towns of Londonderry and Enniskillen, and there contrived to resist successfully the attacks of the besiegers. After undergoing great privations, Derry was relieved by Kirke on July 30, 1689—three days after the battle of Killiecrankie; and a few days later the Enniskilleners sallied forth and won a victory at Newtown Butler.

§ 513. **(ii) Battles of the Boyne and Beachy Head, 1690.**—In June 1690 William took the field in person against his rival. Landing near Belfast with an army of English and Dutch troops, he pushed south towards Dublin, and on July 1 won so complete a victory at the battle of the Boyne that James incontinently fled to France. William occupied Dublin and laid siege to Limerick, but was driven off by Patrick Sarsfield. William then returned to England, while John Churchill, Earl of Marlborough, formerly an intimate friend of James II., overran the south of Ireland. The struggle was not yet over: on the day before the battle of the Boyne the French fleet under Tourville had completely defeated the Anglo-Dutch fleet under Herbert, now Lord Torrington, off Beachy Head, and, by obtaining the command of the seas, had acquired the power of transporting troops in safety from France to Ireland.

§ 514. **(iii) Siege and Treaty of Limerick, 1691.**—The French troops did not work smoothly with their Irish allies: none the less, they made a stubborn struggle in the final campaign of 1691. In July, Ginkel, having taken Athlone, defeated the Franco-Irish army at Aghrim; the French commander, St. Ruth, fell in the battle; but his successor, Sarsfield, held Limerick for nearly two months before he was obliged to surrender in October 1691. The *Treaty of Limerick* permitted the Irishmen who had fought for James to leave the country with their personal property, and also contained certain stipulations relating to the non-combatants. Under the military

capitulation over 30,000 fighting men were conveyed to France : the civil articles were not observed, and they have therefore been branded with the name of the *Broken Treaty*. More than a million acres of land were confiscated ; the Roman Catholics were shut out from all offices and professions, and were forbidden to meet for religious worship ; and additional restrictions were placed on the trade and industries of Ireland in the supposed interests of English agriculture and manufactures (§ 451). The English and the Irish Parliaments worked together to build up both the Penal Code and the Commercial Code ; and for nearly a century Ireland lay crushed beneath the heel of the Anglo-Protestant ascendancy.

II. The Defence of the Revolution, 1691–1694.

§ 515. Theatres of the War of the English Succession, 1688–1697.—The fighting in the European War which, from a British point of view, is called the War of the English Succession, took place not only in Scotland and in Ireland and on the seas (§§ 510–514), but also in the Southern Netherlands—"the cock-pit of Europe." There for the next six summers after the Boyne campaign William III. commanded in person the troops of the Allies. He seldom won a battle, but on the whole he maintained his ground and kept France in check. Throughout he was hampered not only by the difficulty of managing a number of quarrelsome Allies, but also by the jealousy of the Dutch Burgher party, by parliamentary wranglings and by the half-heartedness of his ministers in England. Most of the British politicians of the day, thinking it likely that there would be a second Restoration, took care to be on the safe side by holding communication with the exiled James II., and occasionally sending information of William's designs. For instance, Torrington was suspected—though unjustly—of losing the battle of Beachy Head in order to curry favour with James ; and early in 1692, for similar but better-grounded reason, William had to dismiss Marlborough, whom he regarded as the greatest military genius in his service, and who more than justified William's estimate during the great wars of Anne's reign (1702–1713).

§ 516. Battles of La Hogue and Steinkirk, 1692.—William's first campaign on the Continent was marked by his failure to save the fortress of Mons ; his second, by his defeat at Steinkirk in August 1692, and by his failure to relieve Namur. But these defeats were more than counterbalanced by Russell's great naval victory in a running fight with Tourville off La Hogue (May

19–24). This victory not only stopped the projected invasion of England, but also restored to the English Navy the command of the seas. It also illustrated how the dependence of James on French help weakened the Jacobite cause. Russell himself was prepared to welcome James back, but he was not prepared to receive a licking at the hands of a "darned Mounseer"; and James, watching the defeat of his hopes from the shore, showed his sympathy with the national spirit by exclaiming, "See how my brave English fight!"

§ 517. **Fighting by Land and Sea, 1693–4.**—In July 1693 William was badly beaten by Luxembourg at Landen or Neerwinden. In the preceding month Tourville surprised the valuable Smyrna fleet off Lagos in Portugal, as it was sailing from London to the Mediterranean, defeated Rooke's convoying squadron, and captured or sunk nearly three hundred merchantmen. In June 1694 Talmash, the most promising of the English generals after Marlborough, lost his life in an unsuccessful attack on Brest.

§ 518. **English Finance, 1693–4.**—All this fighting not only compelled the English to learn again the art of war, but also involved the devising of new financial expedients to bear the strain of a prolonged struggle. These new expedients—for which Godolphin and Charles Montague, afterwards Earl of Halifax, were largely responsible—consisted partly in improving the methods of taxation, partly in throwing the burden of the war on posterity by borrowing the surplus wealth of the merchant class. The National Debt dates from 1693, when the Government borrowed £1,000,000 not on the personal security of the King, but on the parliamentary security of the nation (cf. § 461). In the following year a group of Whig capitalists, in return for a loan of £1,200,000 at 8%, received a charter to found the Bank of England, and became the chief financial agents of the Government. The advantages were mutual: the Bank, having a well-secured income from the Government, could offer greater facilities than its private competitors both for depositors and for borrowers; and the Government obtained not only the financial but the political support of the moneyed classes.

§ 519. **Death of Queen Mary, December 1694.**—Finance took up most of the time of the second Parliament of William and Mary; but, in its last session, despite the King's opposition, it passed an important constitutional measure limiting the duration of Parliament to three years (§§ 400, 452). A few days after this *Third Triennial Act* became law, the then virulent and common disease, small-pox, deprived William of his consort, Queen Mary.

CHAPTER XXXVI.

WILLIAM III., 1694–1702.

A. Personal History.—Posthumous son of William II., Prince of Orange, etc., by Mary, elder daughter of Charles I. of England: born at The Hague, November 4, 1650; elected Stadholder of Holland, etc., July 8, 1672; married Mary, elder daughter of James (II.), November 4, 1677; succeeded his father-in-law as King of England, etc., February 13, 1689, as King of Scotland, May 11, 1689; sole monarch after his wife's death, December 28, 1694; died at Kensington, March 8, 1702; buried at Westminster; no children. For his family connections, see Table, p. 280.

B. Contemporary Rulers.

Empire.	Papacy.	France.	Spain.	Sweden.	Russia.
Leopold I. (1658–1705)	Innocent XII. (1691)	Louis XIV. (1643–1715)	Charles II. (1665–1700) (*Last of the* Spanish *Hapsburgs*)	Charles XI. (1660)	Peter the Great (1689–1725)
	Clement XI. (1700–1720)			Charles XII. (1697–1718)	

C. Topics of the Reign.

(i) **International**: *relations with*—
- (1) France: §§ 523, 525, 528, 530.
- (2) The Netherlands: §§ 523, 525, 526.
- (3) The Empire: §§ 525, 528.
- (4) Spain: §§ 526–8, 531.
- (5) Hanover: § 529.

(ii) **Constitutional.**
- (1) Ministers: §§ 521, 526, 529, 530.
- (2) Finance: §§ 524, 526.
- (3) Press: §§ 522, 531.
- (4) Army: § 526.
- (5) Royal Succession: §§ 520, 523, 529, 530.
- (6) Ireland: § 526.
- (7) Scotland: § 527.
- (8) Colonies: § 532.

I. Conclusion of the War of the English Succession, 1695–1697.

§ 520. Effects of Mary's Death on William's Position.—The death of Queen Mary seriously weakened the position of William

III. She was a Stuart, and, assuming the spuriousness of James II.'s son, the next heir to the throne after her father; her domestic virtues and warmheartedness made her personally popular; and her tactful energy did much to make smooth the working of the machinery of government, the direction of which she had voluntarily left in her husband's hands. Her death left William exposed to the full brunt of the dislike which his foreign extraction and his cold manner excited in the mind of the average Englishman. In particular the Tories, who somehow salved their consciences for their "sin" in deserting James by the thought that the natural course of events had only been anticipated by a few years in the elevation of his daughter to the throne (§ 494), tended to drift more and more away from their allegiance to the King; and the years following Mary's death were exceptionally full of Jacobite intrigues.

§ **521. Experiment in Party-Government, 1695–1698.**—The consciousness of isolation caused by Mary's death impelled William to adopt a plan recommended by Sunderland to secure steadiness and strength in the Government. Sunderland pointed out to the King that his ministers would work better together if they held similar political views, and that they would be less hampered by the growing interference of the House of Commons if the ministers were of the same party complexion as the majority in the House of Commons; and, applying these principles to the political situation at the time, he further pointed out that the Whigs, who happened to have a parliamentary majority at the moment, were satisfied with his title to the crown, and were hearty supporters of the war in which that title was being vindicated. There was no definite "change of ministry" as in our own day, but as Tory ministers dropped off one by one Whigs took their places, and from 1697 to 1699 all the principal ministers were Whigs. The chief four—Somers, Lord Keeper; Montague, First Lord of the Treasury after Godolphin's retirement; Russell, and Thomas Wharton—were called "the Junto." The Junto forms a kind of half-way house between the Cabal of Charles II.'s time—a mere group of royal favourites (§ 458)—and our modern Cabinet—an organized group of party-leaders under a Prime Minister.

§ **522. Lapse of the Licensing Act, 1695.**—The censorship of the Press and the other regulations about printing authorized by the *Licensing Act*—first passed in 1662 and periodically renewed since that time (§ 452)—had not worked satisfactorily; and in 1695 Parliament, not having time to amend the machinery, allowed the

Act to expire. The increasing strength of the State as compared with all other organizations in the country made it less timorous of criticism; and since 1695 the Government, instead of directly attempting to prevent the publication of opinions or statements, has contented itself with leaving the law-courts to decide whether anything actually published is in any way harmful to the general weal.

§ **523. Jacobite Plots and the Loyal Association, 1696.** —Early in 1696 two notable Jacobite schemes came to light: James, Duke of Berwick, an illegitimate son of James II. by Marlborough's sister Arabella, proposed to invade England with a French force, while Sir George Barclay was to seize William, and, if necessary, cut his throat. William's re-capture of Namur in October 1695 had made him popular for the moment; many who had no liking for William had still less liking for French invasions and nocturnal assassinations; and the discovery of the twin plot roused a burst of enthusiasm, which expressed itself, among other ways, in the formation of a Loyal Association like that of 1585 (§ 353). Among those who were executed for their share in the murder scheme was Sir John Fenwick, who was the last person to suffer death by Act of Attainder (cf. § 399). The reason for adopting this extra-judicial procedure was that, owing to the abduction of one of the witnesses, there was not enough evidence to convict him under the recent *Treason Trials Act*, which gave persons accused of treason facilities for defending themselves, and required at least two witnesses of each overt act of treason.

§ **524. Restoration of the Currency, 1696.**—Those who donned the orange ribbon of the Loyal Association pledged themselves to support the war against France. But for this purpose money was required as well as zeal; and the year 1696 witnessed some notable attempts to improve the financial strength of England. Robert Harley promoted a scheme called the Land-Bank, which was an attempt to make the Government indebted to the Tory landowners in the same way as the Bank of England made it indebted to the Whig merchant interest. As the landowners had no ready money to spare the scheme failed utterly; but the Bank of England speedily found the money required immediately for the war. At the same time the general financial position of the country was permanently benefited by the restoration of the currency. Since Elizabeth's time the coinage had been going from bad to worse; the coins were badly shaped and easy to "clip"; and the result was that coins were frequently worth in weight less than half their face-

value (cf. § 313). By the advice of the politicians Montague and Somers, and under the practical management of the philosophers John Locke and Isaac Newton, the old coinage was replaced in 1696 by a new coinage, secured against defacing by having "milled" edges. The Government, by giving good coins for bad, bore the immediate loss caused by the change—more than £1,000,000 ; but it profited in the long run by the consequent improvement in trade and credit. At the same time Montague persuaded Parliament to pledge the entire public resources of the country as security for the public liabilities.

§ **525. Peace of Ryswick, 1697.**—The financial power of England and the United Provinces was having its effect in the struggle against France. Louis XIV. had better troops, but he could not bring them to bear even on the United Netherlands, much less on the island-kingdom, the control of which he had so lightly allowed to pass to the ablest of his antagonists (§ 492). In September and October 1697 he made peace with all his enemies—England, the United Provinces, Spain, the Empire, and several of the princes within the Empire—in the group of treaties known as the *Peace of Ryswick*. He abandoned all conquests since 1678 (§ 465) and formally recognized the Protestant Succession in the British Isles.

II. The Swing of the Party Pendulum, 1698–1702.

§ **526. Parliamentary Attacks on William, 1698–1700.**—Both William and Louis regarded the peace merely as a breathing space, and silently set about the work of making ready for the approaching scramble for the Spanish dominions (§§ 528, 529). But here William stood almost alone. The National Debt had risen during the war to more than £14,000,000, an amount which filled the politicians of those days with alarm : the standing army was regarded as both costly and dangerous to the Constitution. Hence, while William wished to keep up the Army as the best guarantee for peace, Parliament wished to take advantage of the peace to reduce the Army. Early in 1698 it successfully reduced the Army to 10,000. Later in the year a new Parliament, in which the Tories had a majority, vented its spleen on "the little Dutchman," by insisting that William's Dutch guards should be sent home—thus reducing the Army to 7000—and by ordering an inquiry into William's gifts of confiscated lands in Ireland. Finding that a large portion of these lands had been given to favourites of Dutch extraction, Parliament in 1700 cancelled all grants by a *Resumption Act*.

§ 527. **The Darien Scheme, 1698–1700.**—Meanwhile William had raised a storm in Scotland also by his supposed opposition to the Darien Scheme. William Paterson, the Scots promoter of the Bank of England, had floated an African Company intended to give Scotsmen opportunities for trading with Africa and the East Indies. The Scheme included the formation of a settlement on the Isthmus of Darien or Panama; but owing partly to the unhealthiness of the climate, partly to the opposition of Spain, the "New Caledonia" was an utter failure. The loss of lives and money was a great blow to a poor country like Scotland; and the failure was ascribed to the King.

§ 528. **The Partition Treaties, 1698–1700.**—Louis XIV. had partly accepted defeat on the question of the English Succession in order to have his hands free for the more pressing and profitable question of the Spanish Succession (Tables, pp. 190, 332). Charles II. of Spain was the last male descendant through males of the Spanish branch of the House of Hapsburg (§ 361); and throughout his reign (1665–1700) there was anxiety among statesmen as to what was to become of his vast possessions all over the world when his sickly life gave out. His nearest blood-connections were his cousins of the Austrian Hapsburg and of the French Bourbon lines; but considerations of the Balance of Power made diplomatists unwilling to regard the succession merely on the basis of family arrangements. Accordingly various schemes of partition between the different claimants were devised, in the last of which England was actively concerned. In October 1698 the Sea-Powers made an agreement with France known as the *First Partition Treaty*, whereby most of the Spanish dominions were assigned to the least formidable of the three claimants, Joseph, Electoral Prince of Bavaria. He died in the following year; and in March 1700 a *Second Partition Treaty* allotted the greater part of the plunder to the Archduke Charles of Austria, and the lesser part—including Naples, Sicily, and the Milanese—to the Dauphin. But when Charles II. died in the following November, leaving the whole of his possessions to Philip, Duke of Anjou, younger son of the Dauphin, Louis XIV. threw over the treaty and accepted the will. The Hapsburg protested, but he could do nothing effective without the help of England; and in April 1701 William was constrained by Parliament to recognize the Bourbon claimant.

§ 529. **Act of Settlement, June 1701.**—The death of William Duke of Gloucester in July 1700 interested Englishmen more than the death of Charles II. of Spain. He was the last of the numerous but short-lived children of Queen Mary's sister Anne; and his death

left the English succession open after the death of William III. and his sister-in-law. Accordingly in June 1701 Parliament made further provision for the royal succession: setting aside the descendants of James II. and of his sister Henrietta—who were excluded as "Papists" under the *Bill of Rights* (§ 508)—the *Act of Settlement* settled the crown, after Anne's death, on Sophia, Electress of Hanover, as the next Protestant heir (Table, p. 280). In return for regulating the royal succession in accordance with Whig ideas, the Tories were allowed to insert in the Act a number of constitutional provisions—some of them repealed as impracticable before they came into effect—which were designed to prevent the House of Hanover from adopting various practices that helped to make William III. additionally objectionable in Tory eyes:—

(1) Whoever shall come into possession of the English crown shall join in communion with the Church of England as by law established.

(2) This nation shall not be obliged to engage in any war for the defence of any territories which do not belong to the crown of England, without the consent of Parliament.

(3) The Sovereign shall not go out of the dominions of England, Scotland, or Ireland, without the consent of Parliament.

(4) All matters relating to the well-governing of this kingdom, which are properly cognizable in the Privy Council, shall be transacted there, and all resolutions taken thereon shall be signed by such of the Privy Council as shall advise and consent to the same.

(5) No person born out of the three kingdoms, although he be naturalized, shall be "capable to be of the Privy Council," or a member of either House, or to enjoy any office or place of trust.

(6) No person who has an office or place of profit under the King shall be capable of serving as a member of the Commons.

(7) Judges' commissions shall be made *quamdiu se bene gesserint*, and their salaries shall be ascertained and established; but upon the address of both Houses it may be lawful to remove them.

(8) No pardon under the Great Seal shall be pleadable to an impeachment by the Commons.

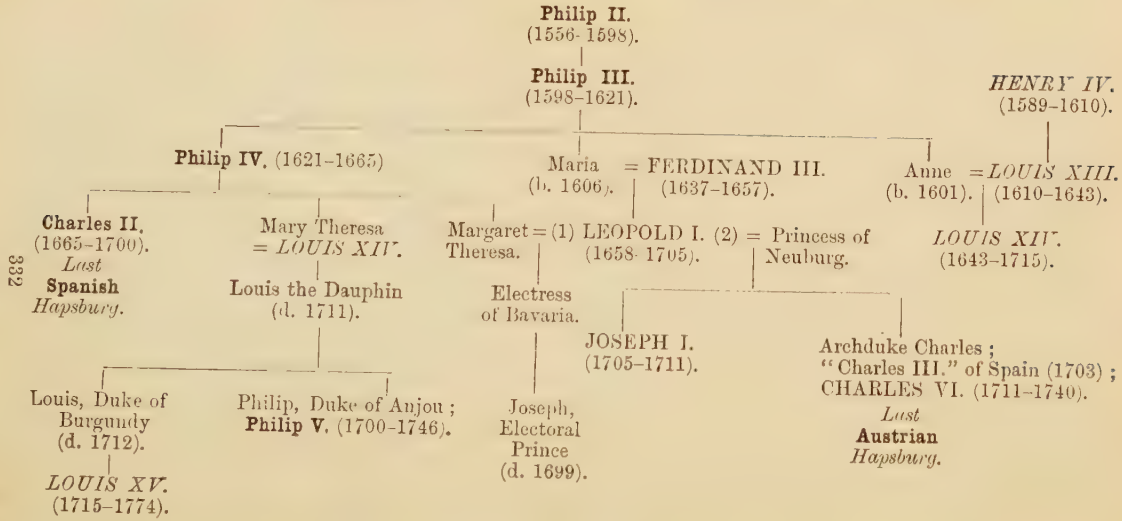
§ **530. Death of James II., September 1701.**—The House of Commons which thus obliquely censured William's conduct by inserting these safeguards into the *Act of Settlement*, and which compelled him to acknowledge the new Bourbon King of Spain, also attacked him more directly by impeaching three members of the Junto—Somers, Halifax (Montague), and Russell (now Earl of Orford)—and his especial friend William Bentinck, Duke of Portland. Their main fault was their connivance in the *Partition Treaties*. The im-

peachment fell through, and the continued attacks on the King were already causing disgust among moderate men when Louis XIV. accelerated the turn of the tide in William's favour by acknowledging James Edward Stuart, "the Old Pretender," as King of England on his father's death in September 1701.

§ **531. Death of William III., March 1702.**—Louis XIV.'s act of generous impolicy practically drove Englishmen to accept as their king, either a foreigner selected by their own Parliament, or a native Stuart imposed on them by a foreign potentate. That very insular feeling which Daniel Defoe had laughed to scorn in his *True-born Englishman* (1701) rallied the nation round William III. He built up a Grand Alliance to support the Hapsburg claimant against the Bourbon possessor of the Spanish throne; and he found his new Parliament sufficiently hot in his favour to carry bills attainting "the pretended King" and compelling all officers in Church and State, and all members of the Universities, to abjure the Stuart cause (§ 509). In the height of his triumph, and before open hostilities commenced, William broke his collar-bone, and died on March 8, 1702.

§ **532. The East India Company, 1600–1698.**—The close of the seventeenth century witnessed many notable extensions in the English outlook upon the world outside Europe. In 1699 William Dampier was sent out by the Government to explore the unknown regions of New Holland or Australia. Foreign and Colonial missionary work within the Church of England was inaugurated by the foundation of the "Society for Promoting Christian Knowledge" in 1698, and of the "Society for the Propagation of the Gospel" three years later. The name Fort William (Calcutta) reminds us that it was in the reign of William III. that the East India Company obtained a permanent foothold in Bengal. The Company, since its foundation in 1600 (§ 357), had removed its principal field of operations from the Spice Islands to India, and had there established many trading stations or "factories." Its success roused much jealousy and many attempts to break its monopoly; and in 1698 Montague took advantage of these commercial jealousies to allow a group of Whig capitalists, in return for a loan to Government, to found a new "English" Company in opposition to the Tory "London" Company. But the old concern had too strong a grip on the trade to allow successful competition by the new company: the two companies made a pooling agreement in 1702, and amalgamated six years later. It was this united company which, half a century later, began to acquire the "Empire of Indostan."

Pedigree Illustrating the Spanish Succession.


Philip II. (1556-1598).
Philip III. (1598-1621).
HENRY IV. (1589-1610).
Philip IV. (1621-1665)
Maria (b. 1606). = FERDINAND III. (1637-1657).
Anne (b. 1601). = LOUIS XIII. (1610-1643).
Charles II. (1665-1700). Last Spanish Hapsburg.
Mary Theresa = LOUIS XIV.
Louis the Dauphin (d. 1711).
Margaret Theresa. = (1) LEOPOLD I. (1658-1705). (2) = Princess of Neuburg.
LOUIS XIV. (1643-1715).
Electress of Bavaria.
JOSEPH I. (1705-1711).
Archduke Charles; "Charles III." of Spain (1703); CHARLES VI. (1711-1740). Last Austrian Hapsburg.
Louis, Duke of Burgundy (d. 1712).
Philip, Duke of Anjou; Philip V. (1700-1746).
Joseph, Electoral Prince (d. 1699).
LOUIS XV. (1715-1774).

NOTE.—The double dates within parentheses give the periods during which a title is held; the Emperors are in ROMAN CAPITALS; the French Sovereigns in *ITALIC CAPITALS*; the Spanish Sovereigns in **dark type**. See pp. 124, 190, for earlier French and Spanish Kings and for Roman Emperors.

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The index covers the text only, not the tables, maps, or small-type chapter-headings. These should be consulted with the aid of the list on p. iv., whenever matters genealogical, military, or geographical are being looked up.

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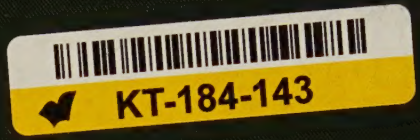
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